DOCUMENT RESUME

ED 398 649 EA 027 824

TITLE	Arizona Charter Schools: Charter Schools Handbook.
INSTITUTION	Arizona State Dept. of Education, Phoenix.
PUB DATE	Sep 95
NOTE	378p.
PUB TYPE	Guides - Non-Classroom Use (055) -- Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC16 Plus Postage.
DESCRIPTORS	*Charter Schools; Compliance (Legal); Contracts; Educational Policy; Elementary Secondary Education; Guidelines; *Nontraditional Education; School Organization; *State Legislation; *State Regulation; State School District Relationship; *State Standards
IDENTIFIERS	*Arizona

ABSTRACT

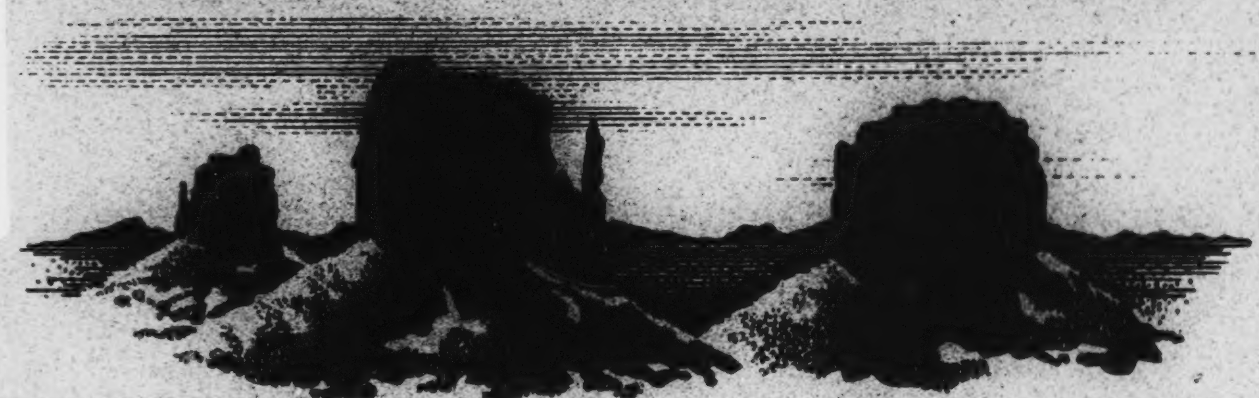
As sponsoring agents for Arizona charter schools, individual school boards in Arizona are committed to ensuring that all applicants have a fair and equal opportunity to submit a proper charter proposal. This handbook provides information and materials to help charter-school applicants in Arizona prepare a proposal for establishing a charter school. Following the introduction, section 1 provides answers to commonly asked questions about charter schools. The second section provides a matrix of Arizona's charter schools and a brief description of each. Application procedures and materials are described in the third section. Section 4 describes charter-school contracts. The next two sections explain Arizona charter-school legislation and supplemental legislation and regulation. Guidelines from the Arizona Department of Commerce for establishing a small business are offered in section 7. Sections 8 through 11 describe charter-school operations and administrative hearing procedures, list important contacts, and explain how to order and pay for resources from Arizona agencies. (LMI)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

EA

ED 398 649

Arizona Charter Schools



Charter Schools Handbook

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☑ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
● Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY
L. Edgington
TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

EA 027 824

Arizona Department of Education
September 1995

BEST COPY AVAILABLE

MEMORANDUM

To: Interested Parties

From: Kathryn A. Kilroy
Executive Director, Charter Schools Office

Subject: Arizona Charter Schools Handbook

This Handbook provides information and materials that will assist you in preparing an application to establish a Charter School in Arizona. The topics discussed reflect the technical requirements of Arizona's Charter School legislation. It does not necessarily reflect the selection requirements or policies of either the State Board of Education or the State Board for Charter Schools. Either Board may approve an application if the application meets the requirements of the legislation and may approve the charter if the proposed sponsor determines, within its sole discretion, that the applicant is sufficiently qualified to operate a Charter School.

As a sponsoring agent for Charter Schools, the individual Boards are committed to ensuring that all applicants have a fair and equal opportunity to submit a charter proposal which will meet its standards for approval. The Arizona Charter Schools Handbook was developed to help meet this commitment. Its purpose is to facilitate the application process as well as provide technical assistance to: (1) understand the key elements of legislation establishing Charter Schools; (2) answer frequently asked questions about Charter Schools as public schools; (3) provide information about important contacts; and (4) help save time in identifying resources from the Arizona Department of Education and other agencies.

The Handbook is not intended to be an exhaustive discussion of these requirements. Responsibility for submitting an application and supporting documents that meet the expectations of the proposed sponsor rests solely with the applicant.

Thank you for your interest in Charter Schools.

ARIZONA
CHARTER SCHOOLS HANDBOOK

TABLE OF CONTENTS

Introduction 1

Section 1: Questions and Answers about Charter Schools as Public Schools 1-1

- Definition and Purpose 1-2
- Sponsors and Applicants 1-2
- Charter School Application and Contract 1-4
- Charter School Organization and Operations 1-7
- Curriculum and Assessment 1-12
- Funding 1-12

Section 2: Arizona's Charter Schools 2-1

- Fiscal Year 1994-1995 Charter Schools by City and Grade Level 2-2
- Description of Fiscal Year 1994-1995 Charter Schools 2-7

Section 3: Application Procedures and Materials 3-1

- Application Process Calendar 3-4
- Charter School Application Review Criteria 3-5
- School Goals: Elementary and High School Example 3-16
- Arizona Student Achievement Program: A Plan for Academic Excellence and Lifelong Development 3-19
- List of Academic Achievement Tests: Norm-Referenced and Criterion-Referenced 3-23
- Charter School Budget Revenue Projection 3-24
- Petition for Exemption or Amendment 3-39

Section 4: Charter School Contract 4-1

- Definition of Terms 4-2
- Charter School Contract 4-5

Section 5: **Legislation Establishing Charter Schools** 5-1

A.R.S. §§ 15-181-189: Key Elements in the Charter School Statute 5-2
A.R.S. § 15-101: Definition of Charter School 5-4
A.R.S. §§ 15-181-189: Charter Schools 5-6
Senate Bill 1361: An Act Amending Sections 15-183, 15-185 and 15-187, Arizona Revised Statutes: Relating to Charter Schools 5-16
House Bill 2019: Amending Sections 15-186 and 15-816, Arizona Revised Statutes: Relating to Charter Schools 5-23
R7-2-316. Charter Schools Stimulus Funds 5-35

Section 6: **Supplemental Legislation and Regulations** 6-1

Procurement 6-3
Audit Requirements 6-5
USFR 6-6
Fingerprint Checks 6-7
Goals for Excellence 6-11
School Report Cards 6-12
Special Education for Exceptional Children 6-13
School Attendance 6-27
Budgets, Financial Assistance 6-28
State and Federal Statutes and Regulations Applicable to Charter Schools 6-42

Section 7: **Establishing A Small Business** 7-1

Letter: Arizona Department of Commerce 7-3
Guide to Establishing A Small Business 7-5
Trademark and Trade Name Laws 7-63
Arizona Corporation Commission: General Filing Instructions 7-74
Vendor Registration Form 7-79

Section 8: **Charter School Operations** 8-1

School Calendar: K-12 Example 8-3
Facilities: 1995 Updated Annual Vacant Buildings List 8-4
Employment Policies and Procedures 8-7
Uniform System of Financial Records 8-9
Transportation of Children Who Meet Economic Eligibility Requirements 8-13

Section 9: **Important Contacts**......9-1

City and State Planning and Zoning Services. Example: City of Phoenix Development Center: Planning and Zoning Services; Overview of Development Requirements; andTenant Improvement/Remodel Process Overview......9-3
State Fire Marshall's Office/Requirements for Charter Schools......9-15
Student Enrollment, School Calendar and Transportation Report......9-16
Budget and Apportionment......9-26
Norm-Referenced Achievement Testing......9-27
The Arizona Student Achievement Program......9-29
School Report Cards......9-30
Procurement......9-31

Section 10: **Administrative Hearings**......10-1

R7-5-101. Rehearing Procedure for State Board for Charter Schools......10-2
R7-2-806. Rehearing Procedure for State Board of Education......10-4
Draft: R7-5-201 to R7-5-204. Adjudicative Hearings: Revocation of Charter......10-6

Section 11: **Resources to be Ordered from Arizona Department of Education, Central Distribution Services and Arizona Correctional Industries**......11-1

How to Order and Pay for Financial Documents for Charter Schools......11-2
How to Order and Pay for State Procurement Regulations......11-3
How to Order The School District Records Management Manual......11-4
How to Order and Pay for Essential Skills and Other Arizona Student Achievement Program Publications......11-5
How to Order and Pay for ASAP Assessments: Grades 3, 8 and 12......11-7
How to Order and Pay for Charter Schools Handbook......11-17

INTRODUCTION

WHAT IS A CHARTER SCHOOL?

A year ago, the Arizona Legislature enacted a monumental law to provide additional academic choices for parents and students. Opportunities for developing and implementing bold, creative and innovative strategies designed to impact student learning in publicly funded schools in Arizona have been greatly expanded through the passage of legislation authorizing the establishment of Charter Schools. Article 8 of Title 15, Arizona Revised Statutes, was added via Laws 1994, Chapter 2, Section 2 (House Bill 2002), during a Special Legislative session.

The legislation, which became effective September 16, 1994, also established a Charter Schools Stimulus Fund to provide financial support to Charter School applicants and Charter Schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures.

Charter Schools are intended to provide additional academic choices for parents and students. Consisting of a new school or all or any portion of an existing school, a Charter School is authorized to receive State funding based on compliance with the provisions of the law. A Charter School must include a comprehensive program of instruction for at least a kindergarten program or any grade between grades one and twelve. The school's curriculum may include an emphasis on a specific learning philosophy or style or certain subject areas. A Charter School must design the methods to measure student progress. Additionally, as the success of a Charter School is based on meeting goals and objectives, it is expected that Charter Schools will outline criteria designed to measure the overall effectiveness of the school.

Some of the charter schools approved in Arizona in 1995 include: a science and technology-based elementary school; EduPreneurship, a multi-age, non-graded intermediate school where students are assigned to a thematic cottage for a nine-week period; CALL-A-TEEN CENTER FOR EXCELLENCE, a unique program especially designed to address the individual differences and needs of the at-risk student who is a potential dropout or who has already dropped out of school; and New School for the Arts, grades 9-12, which provides a rigorous, integrated academic and arts program with individualized performance-based assessment activities.

As a sponsoring agent for Charter Schools, the individual Boards are committed to ensuring that all applicants have a fair and equal opportunity to submit a charter proposal which will meet its standards for approval. To meet this commitment, application procedures and requirements have been developed and approved by the Boards. Authorizing legislation includes requirements and information relative to the establishment of Charter Schools, and provides the basis for the Charter School application requirements.

BEST COPY AVAILABLE

SECTION 1:

QUESTIONS AND ANSWERS ABOUT CHARTER SCHOOLS AS PUBLIC SCHOOLS

SECTION 1:

QUESTIONS AND ANSWERS ABOUT CHARTER SCHOOLS AS PUBLIC SCHOOLS

Charter Schools operating in Arizona are beginning to catch the public's attention. Parents, teachers, school administrators and others from the public or private sector have many questions about Arizona's Charter Schools. Because there are many misconceptions about the purpose and functions of Charter Schools, this section is an attempt to address the most frequently asked questions.

By referring to this section of the Handbook before calling the Charter Schools Office, time and effort can be saved by both the applicant and the Charter School staff. The following topics provide an overview of questions addressed in this section:

- Purpose
- Definition
- Number of Schools
- Sponsor
- Application
- Breach of Contract
- USFR Exceptions
- School Governance
- Admission Requirements
- Health, Safety, Civil Rights and Insurance
- Compliance
- Special Education
- Retirement System
- Teacher Certification
- Exemptions: Public Meetings, Teacher Certification, Use of Public Facilities, Graduation Requirements
- ASAP: Essential Skills; Norm-Referenced Testing
- Funding Charter Schools
- Tuition
- Tax Levy and Bond Issue

QUESTIONS AND ANSWERS ABOUT CHARTER SCHOOLS AS PUBLIC SCHOOLS

Definition and Purpose

Q What is a charter school?

A A.R.S. § 15-101 defines a charter school as "a public school established by contract with a district governing board, the State Board of Education or the State Board for Charter Schools" to provide learning that will improve pupil achievement.

Q What is the purpose of charter schools?

A In addition to providing a learning environment that will improve pupil achievement, A.R.S. § 15-181 states that charter schools are intended to "provide additional academic choices for parents and pupils." Charter school statutes support flexibility and innovation in key areas of operations and organizational structures, including governance, scheduling, curriculum and instructional methodologies. Charter schools may consist of new schools or all or any portion of an existing school. They must comply with all provisions of applicable law to receive state funding as prescribed in statute.

Sponsors and Applicants

Q Who may sponsor charter schools?

A According to A.R.S. § 15-183(B), "[t]he sponsor of a charter school may be either a school district governing board, the State Board of Education or the State Board for Charter Schools."

Q Who may apply to operate a charter school?

A A.R.S. § 15-183(A) states that "[t]he sponsor of a charter school may contract with a public body, private person or private organization for the purpose of establishing a charter school" pursuant to statute.

Q May private, for-profit companies and organizations apply to operate charter schools?

A Yes. As noted above, the sponsor of a charter school may contract with a public body, private person or private organization for the purpose of establishing a charter school.

Q How many charter school applications may be approved by the State Board of Education and the State Board for Charter Schools each fiscal year?

A According to A.R.S. § 15-183(C)(2), "[t]he State Board of Education or the State Board for Charter Schools may each approve up to twenty-five charter schools each fiscal year." Thus, each Board may separately approve up to twenty-five charter school applications in one fiscal year.

Q How many charter schools may be sponsored by a local school district governing board?

A A.R.S. § 15-183(C)(2) states that "[t]he State Board of Education or the State Board for charter schools may each approve up to twenty-five charter schools each fiscal year." The statute contains no similar language pertaining to the number of charter schools a school district governing board may sponsor.

Q Could a charter school change sponsors prior to expiration of the term of its charter?

A A.R.S. § 15-183(I) holds that "[a]n approved plan to establish a charter school is effective for five years from the first day of operation." The statute contains no provision for a charter school to change sponsors prior to the expiration of the term of its charter, although language to this effect could be included in the charter itself. Should a charter be revoked, a charter school would be free to seek a charter with a different sponsor.

Q What is the liability of the Board of Education or the State Board for Charter Schools as sponsors of Charter Schools?

A Statutes authorizing charter schools do not specifically address liability issues concerning the creation of these unique educational entities. The only statutory reference to the issue is found in A.R.S. § 15-183(E)(1), which requires compliance with all "federal, state and local rules, regulations and statutes relating to... insurance." Currently, the State of Arizona is not responsible for the liability risks of the public schools. Instead, each local school district is responsible for the schools within its district. Charter schools are unique because they are autonomous, and are not governed by any school district. They are each self-governing, and presumably responsible for obtaining the necessary liability insurance to cover the risks associated with running the school. Absent a clear Legislative mandate, the mere fact that a State Board "sponsors" a charter school should not subject the Board to liability for activities at the school. Instead, as is currently the case with the State Board of Education, the State's risk management program would be responsible only for the separate activities of each Board.

Charter School Application and Contract

Q What information is included in a charter school application?

A A.R.S. § 15-183(A) states that an applicant "shall submit a written application to a proposed sponsor" as prescribed in A.R.S. § 15-183(C), and goes on to describe information that may be included in the application, including "a mission statement for the charter school, a description of the charter school's organizational structure and the governing body, a financial plan for the first three years of operation of the charter school, a description of the charter school's hiring policy, the name of the charter school's applicant or applicants and requested sponsor, a description of the charter school's facility and the location of the school, a description of the grades being served and an outline of criteria designed to measure the effectiveness of the school."

Q Does approval of a charter school application entitle the applicant to operate a charter school?

A No. According to A.R.S. § 15-183(C)(2), the State Board of Education or the State Board for Charter Schools "may approve the application if the application meets the requirements of [Title 15], Chapter 1, Article 8, of the Arizona Revised Statutes." Either Board may approve the charter, if it determines, "within its sole discretion, that the applicant is sufficiently qualified to operate a charter school."

Q May the sponsor of a charter school require application information beyond that addressed in A.R.S. § 15-183(A)?

A Yes. While an application to establish a charter school should include information listed in A.R.S. § 15-183(A), the State Board of Education and State Board for Charter Schools are not limited to considering only the statutorily required information. Rather, either Board must review an application for a charter school and, as stated in A.R.S. § 15-183(C)(2), "may approve the application if the application meets the requirements of this article [Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes] and may approve the charter if the proposed sponsor determines, within its sole discretion, that the applicant is sufficiently qualified to operate a charter school." Accordingly, either sponsor may require, in the application process, such information the Board deems necessary in order to determine whether an applicant has met the requirements of that Article.

Q What happens if the charter school application is rejected?

A According to A.R.S. § 15-183(C), if a school district governing board, the State Board of Education or the State Board for Charter Schools rejects the charter school application, the potential sponsor "shall notify the applicant in writing of the reasons for the rejection." An applicant may request, and the potential sponsor may provide, technical assistance to improve the application.

Q May the sponsor of a charter school include a "breach of contract" provision which provides for the sponsor, in its oversight capacity, to periodically monitor the charter school and require a corrective action plan for any material breach of the charter? If the charter school does not comply with the terms of the corrective action plan, may the charter be revoked?

A According to A.R.S. § 15-101(3), a charter school is a "public school established by contract with a district governing board, the State Board of Education or the State Board for Charter Schools pursuant to Article 8 of this chapter to provide learning that will improve pupil achievement." The State Board of Education has the power to supervise and regulate all public schools, and the State Board for Charter Schools is provided the power to exercise general supervision over charter schools it sponsors. Each Board should include an express provision in a charter providing that the Board, in its role as sponsor, has the authority to monitor the charter school and require a corrective action plan for any deficiencies discovered. The sponsor should incorporate in the charter such monitoring provisions as necessary for the sponsor to ensure that the charter school provides education as required and fully complies with all pertinent laws and rules, as well as the charter. As it is contractual in nature, the charter should allow for the withdrawal of sponsorship in the event of a breach of that charter by the charter school.

Q A.R.S. § 15-183(E)(6) provides that "[a] school's charter may include exceptions to the requirements of this paragraph [Uniform System of Financial Records, procurement rules and audit requirements] that are necessary as determined by the district governing board, the State Board of Education or the State Board for Charter Schools." What standards/tests should be applied in determining which provisions can be waived?

A According to A.R.S. § 15-183(E)(6), a charter must ensure that the charter school "is subject to the same financial requirements as a school district including the uniform system of financial records as prescribed in Chapter 2, Article 4 of this Title, procurement rules as prescribed in § 15-213 and audit requirements. A school's charter may include exceptions to the requirements of this paragraph that are necessary as determined by the district governing board, the State Board of Education or the State Board for Charter Schools." The statute provides no standard upon which either the State Board of Education or the State Board for Charter Schools may consider an exception. Such determination should be made on a case by case basis; the applicant for a charter school should be required to provide sufficient cause to either Board for allowing an exception to any requirement as contemplated by A.R.S. § 15-183(E)(6).

Q In considering a request for a "necessary" exception as discussed in the previous question, is it permissible for either Board to implement a procedure whereby the applicant petitions for the exception and supplies supporting documentation prior to consideration by the Board?

A Yes. In considering an exception under A.R.S. § 15-183(E)(6), it would be permissible for either Board to implement a procedure under which the applicant must supply all necessary supporting documentation prior to consideration of the request.

Charter School Organization and Operations

Q Who governs charter schools?

A A.R.S. § 15-183(G) states that "the charter of a charter school shall include a description of the school's personnel policies, personnel qualifications and method of school governance and the specific role and duties of the sponsor of the charter school." In that regard, the method of school governance is determined by a charter school, approved by the sponsor and described in the charter.

Q Can charter schools limit student admissions?

A Student admission requirements for students are detailed in A.R.S. § 15-184. Statute stipulates that a charter school "shall enroll all eligible pupils who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building" and goes on to state that "[i]f capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall select pupils through an equitable process such as a lottery." The law is very clear in A.R.S. § 15-184(B) regarding the fact that charter schools "may not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability." Charter schools may, however, limit admission to pupils within a given age group or grade level.

Q Can a charter school give preference to students in a particular geographical region?

A Only if the sponsor is a school district governing board, in which case preference is given to students residing within the school district where the school is located. According to A.R.S. § 15-184(A), "a charter school shall enroll all eligible students who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall select pupils through an equitable selection process such as a lottery." Additionally, according to A.R.S. § 15-184(C), admission may be limited "to pupils within a given age group or grade level." The statutes provide no authority for admission to be limited to students in a particular geographical region."

Q What standard should be applied in determining whether a charter school is ensuring compliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance?

A According to A.R.S. § 15-183(E)(1), charter schools shall ensure "[c]ompliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance." The statute provides no standard to be applied in determining whether a charter ensures such compliance. A charter should provide in specific terms that a charter school must comply with such authority, and indicate that failure to so comply shall constitute grounds to revoke the charter.

Q Are charter schools subject to the same legal requirements and provisions as school districts?

A No. A.R.S. § 183(E)(5) states that except as provided in [Title 15], Chapter 1, Article 8 and in its charter, a charter school "is exempt from all statutes and rules relating to schools, governing boards and school districts." However, A.R.S. § 181(B) specifically states that "[c]harter schools shall comply with all provisions of this article (Title 15, Chapter 1, Article 8) to receive state funding as prescribed in § 15-185."

Q What legal requirements and provisions are charter schools obligated to follow?

A Charter schools are subject to provisions included in and referenced by [Title 15], Chapter 1, Article 8. This article includes requirements pertaining to the charter school application, the charter, student admissions requirements, financing, transportation and employment benefits. A.R.S. § 183(E) stipulates that the charter (and the charter school) shall ensure the following:

- Compliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance;
- Compliance with all federal and state laws relating to the education of children with disabilities in the same manner as a school district;
- That it provides a comprehensive program of instruction;
- That it designs a method to measure pupil progress toward pupil outcomes adopted by the State Board of Education, including participation in the essential skills tests and the nationally standardized norm-referenced achievement tests;
- That it participates in completing and distributing an "annual report card" detailing information about the school;
- That it is subject to the same financial requirements as a school district including the Uniform System of Financial Records, procurement rules and audit requirements;
- That it is nonsectarian in its programs, admission policies, employment practices and all other operations; and
- That it provides for a governing body that is responsible for policy and operational decisions of the school.

Q Must a charter school comply with all statutes and regulations regarding children with disabilities, as defined in A.R.S. § 15-761? Would such compliance be required if no categorical funding were available for special education services?

A According to A.R.S. § 15-183(E)(7), a charter must ensure "[c]ompliance with all federal and state laws relating to the education of children with disabilities in the same manner as a school district." Such compliance is not contingent upon the availability of "categorical funding."

Q If a legal requirement is specified on the list of applicable statutes, rules and regulations provided by the Department of Education under A.R.S. § 15-183(E)(1), is the sponsor permitted to negotiate any of those requirements?

A According to A.R.S. § 15-183(E)(1), the charter of a charter school must ensure "[c]ompliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance." To assist in this endeavor, the statute goes on to state that "[t]he Department of Education shall publish a list of relevant rules, regulations and statutes to notify charter schools of their responsibilities under this paragraph." The statute does not provide that the published list would delineate all requirements for compliance by the charter school with the rules, regulations and statutes. The purpose of the list is to "notify charter schools of their responsibilities under" A.R.S. § 15-183(E)(1). A sponsor should incorporate the Department's list in a charter, and the terms of the charter should expressly require compliance with the "relevant rules, regulations and statutes" detailed in the list. The actual details of the responsibilities mandated would be set forth in the rules, regulations and statutes listed, and may or may not be negotiable depending on the language of each item on the list.

Q Must the charter school demonstrate compliance with the requirements specified in the previous question prior to issuance of the charter?

A The statute provides no requirement that a charter school demonstrate compliance in the operation of a charter school with the authority as specified in A.R.S. § 15-183(E)(1) in advance of granting the charter. A.R.S. § 15-183(C)(2) would indicate that approval of a charter would follow a determination that an application is satisfactory. Nevertheless, a charter should contain provisions allowing for the sponsor to monitor the charter school sufficiently in order to ensure compliance as required in A.R.S. § 15-183(E)(1).

Q Can charter schools participate in the Arizona State Retirement System?

A Yes. Language in A.R.S. § 15-187(C) states that a charter school "is eligible to participate in the Arizona State Retirement System pursuant to Title 38, Chapter 5, Article 2. The charter school is a political subdivision of this state for purposes of [Title 38], Chapter 5, Article 2."

Q Is state certification required for teachers and other staff in charter schools?

A No, except with regard to providing educational services for children with disabilities. As stated in A.R.S. § 15-183(E)(5), charter schools are, except as provided, "exempt from all statutes and rules relating to schools, governing boards and school districts." This would include statutes pertaining to certification of charter school staff. However, A.R.S. § 15-183(E)(7) requires that charter schools comply "with all federal and state laws relating to the education of children with disabilities in the same manner as a school district."

Q Is a charter school exempt from laws governing public meetings, teacher certification, use of public facilities, graduation requirements?

A According to A.R.S. § 15-183(E)(5), a charter must ensure that "except as provided in this article and in its charter, it [a charter school] is exempt from all statutes and rules relating to schools, governing boards and school districts." Unless there is a contrary provision in a charter, the school would be exempt from statutes and rules relating to schools, governing boards and school districts as such statutes and rules specifically affect the use of public facilities, teacher certification, and graduation requirements. The school must, of course, comply with any constitutional requirements concerning the use of public facilities. This would not exempt the charter school from the Open Meeting Law (A.R.S. §§ 38-431 through 431.09) which applies to the extent that any aspect of the school's operation depends upon a "public body," as that term is defined in A.R.S. § 38-431(5). In general, the Open Meeting Law applies to all public bodies.

According to A.R.S. § 15-183(E)(4), however, a charter school must design "a method to measure pupil progress toward the pupil outcomes adopted by the State Board of Education pursuant to A.R.S. § 15-741.01 including participation in the essential skills tests and the nationally standardized norm-referenced achievement test as designated by the State Board and the completion and distribution of an annual report card as prescribed in chapter 7, article 3 of this title." To the extent either Board deems statutes and rules relating to schools, governing boards and school districts applicable to a charter school, such authority may be included in that school's charter.

Curriculum and Assessment

Q Must charter school students participate in the Arizona Student Assessment Program? If so, to what extent?

A The Arizona Student Assessment Program (A.S.A.P.) is mandated in [Title 15], Chapter 7, Article 3 of the Arizona Revised Statutes. Those provisions are expressly incorporated by reference in A.R.S. § 15-183(E)(4) which requires that a charter of a charter school ensures "that it designs a method to measure pupil progress toward the pupil outcomes adopted by the State Board of Education pursuant to § 15-741.01 including participation in the essential skills tests and nationally standardized norm-referenced achievement test as designated by the State Board and the completion and distribution of an annual report card as prescribed in chapter 7, article 3 of this title." Charter school students must participate in the A.S.A.P. to the extent required for students in Chapter 7, article 3 of Title 15.

Funding

Q How are charter schools funded?

A According to A.R.S. § 15-185(B), a charter school that is sponsored by the State Board of Education or the State Board for Charter Schools is to "calculate a base support level as prescribed in § 15-943, a transportation support level as prescribed in § 15-945, a capital outlay revenue limit as prescribed in § 15-961 and a capital levy revenue limit as prescribed in § 15-962." Statute identifies some sections that do not apply to funding for charter schools sponsored by the Boards. Statute details the mechanisms for determining the student count for charter schools as well as the schedule for apportionment.

Funding for charter schools sponsored by a school district governing board is detailed in A.R.S. § 15-185(A), which states that the charter school "shall receive per pupil expenditures equal to at least the average cost per pupil for the district as a whole." This section goes on to stipulate that "the Uniform System of Financial Records shall include guidelines for determining the average cost per pupil for the district for the purposes of this section."

Q May charter schools charge tuition?

A No. According to A.R.S. § 15-185(E), charter schools may not charge tuition, although the law is silent about possible fees for books, uniforms, or extracurricular activities.

Q May charter schools levy taxes or issue bonds?

A No. According to A.R.S. § 15-185(E), charter schools may not levy taxes or issue bonds.

SECTION 2:

ARIZONA'S CHARTER SCHOOLS

SECTION 2:

ARIZONA'S CHARTER SCHOOLS

Charter Schools are public schools which have entered into contract with either the State Board of Education or the State Board for Charter Schools to provide educational services to Arizona's students. Each school has determined the age, grade level and number of students they will serve. Each school has agreed to admit all eligible pupils who submit a timely application, unless the number of applications exceeds the capacity agreed upon. If capacity is insufficient to enroll all pupils who submit a timely application, the school is required to select pupils through an equitable selection process such as a lottery.

The matrix of Fiscal Year 1995 Charter Schools by City and Grade Level is provided as a quick reference to locate a Charter School. It can also be used in combination with the Description of Fiscal Year 1995 Charter Schools which are listed alphabetically. When a school is located on the matrix a more detailed description can be quickly located by referencing the alphabetical list.

Information about a chartered school can be obtained in two ways:

1. Contact the school directly and ask for information.
2. Applications are on file for public viewing in the Charter Schools Office, 1535 West Jefferson, Phoenix, AZ.

CHARTER SCHOOL APPROVALS & CHARTERS - by board and city

SCHOOL	CITY	COUNTY	BOARD	CONTACT	PHONE
Ash Fork Middle School	Ash Fork	Yavapai	Ash Fork	Kathleen Karol	(520) 637-2561
Foothills Academy	Cave Creek	Maricopa	SBE	Donald Senneville	(602) 488-5583
Ventana Academic School	Cave Creek	Maricopa	SBE	Marian Lamb	(602) 488-6808
Mingus Springs Charter School	Chino Valley	Yavapai	CSB	Lynda C. Rice	(520) 636-4766
Glenmar Montessori Schools	Flagstaff	Coconino	CSB	James & Marlane Spencer	(520) 779-1212
Pine Forest School	Flagstaff	Coconino	SBE	Teresa Vail	(520) 779-9880
Carmel Community Integrated Arts Charter School	Gilbert	Maricopa	CSB	Jacci D. Hall	(602) 926-3737
Edu-Prize	Gilbert	Maricopa	SBE	Lynn Robershotte	(602) 813-9537
Touchstone Community Charter School	Glendale	Maricopa	SBE	N. Jayne Shaw	(602) 930-8705
Kingman Academy of Learning	Kingman	Mohave	SBE	Betty Rowe	(520) 753-3456
Benjamin Franklin Charter School	Mesa	Maricopa	CSB	Eddie Farnsworth	(602) 649-0712
Boys and Girls Academy	Mesa	Maricopa	SBE	Gary Yazwa	(602) 820-3688
***East Valley High School of Business Management**	Mesa	Maricopa	SBE	David Miller	(602) 689-5252
Heritage Academy, Inc.	Mesa	Maricopa	CSB	Earl Taylor, Jr.	(602) 969-5641
Life School College Preparatory	Mesa	Maricopa	SBE	Jim Alverson	(602) 985-6112
Arizona Career Academy	Mesa/Tempe	Maricopa	SBE	Michael Matwick	(602) 668-5003
Pimeria Alta Learning Center	Nogales	Santa Cruz	CSB	Robert Canchola	(520) 761-7800 x3058
***Lake Powell Academy**	Page	Coconino	CSB	Pamela Brown	(520) 645-9448
***Payson Center for Success**	Payson	Gila	Payson	Roy Sandoval	(520) 474-2070
ABC Alternative Learning Center	Phoenix	Maricopa	CSB	Carolyn Sawyer-Cahal	(602) 631-9390
Academy of Lifelong Learning	Phoenix	Maricopa	SBE	Robert Crawford	(602) 254-0822

*SCHOOLS IN BOLD OPENING FALL 1996

CHARTER SCHOOL APPROVALS & CHARTERS - by board and city

SCHOOL	CITY	COUNTY	BOARD	CONTACT	PHONE
Arizona CALL-A-TEEN CENTER FOR EXCELLENCE	Phoenix	Maricopa	CSB	Bernice Lever/Gloria Junkersfeld	(602) 252-6721
Arizona Montessori Charter School	Phoenix	Maricopa	CSB	Sandra Houston & Helene Stein	(602) 274-7773
Arizona School for the Arts	Phoenix	Maricopa	CSB	Mark Francis	(602) 257-1444
ATOP Academy	Phoenix	Maricopa	CSB	Dr. Raymond Jackson	(602) 274-5088
Citizen 2000	Phoenix	Maricopa	SBE	Lawndia Venerable	(602) 379-0001
Dragonfleye Charter School	Phoenix	Maricopa	SBE	Lon C. Brouse/Gail Battistela	(602) 569-6964
Esperanza Montessori Academy	Phoenix	Maricopa	CSB	Armando Ruiz	(602) 276-5714
GateWay Community High Sch	Phoenix	Maricopa	SBE	David Curd	(602) 392-5466
Intelli-School	Phoenix	Maricopa	CSB	Patricia Shaw	(602) 252-8555
SATZ School	Phoenix	Maricopa	SBE	Nancy Cooper	(602) 943-1317
Success School	Phoenix	Maricopa	SBE	Theodore Kraver	(602) 944-8557
Teen Choice Leadership Academy	Phoenix	Maricopa	CSB	Mary M. Black	(602) 243-1773
*Tertulia: A Learning Community	Phoenix	Maricopa	CSB	Monica Liang	(602) 954-9044
Valley Academies, Inc.	Phoenix	Maricopa	SBE	Thomas Reid	(602) 843-5840
Villa Montessori School	Phoenix	Maricopa	CSB	Marilyn Burbach	(602) 955-2210
Excel Education Centers, Inc.	Prescott	Yavapai	CSB	Michael Gerdes	(520) 778-5764
CASY Country Day School	Scottsdale	Maricopa	SBE	John Spero	(602) 951-3190
EduPreneurship	Scottsdale	Maricopa	CSB	Carol Ann Sammans	(602) 990-2475
New School for the Arts	Scottsdale	Maricopa	SBE	Ronald Caya	(602) 481-9235
Scottsdale Horizons	Scottsdale	Maricopa	CSB	Judy White	(602) 990-7223
Sedona Charter School	Sedona	Yavapai	CSB	Carrie DeVore	(520) 204-6464

*SCHOOLS IN BOLD OPENING FA 1996

CHARTER SCHOOL APPROVALS & CHARTERS - by board and city

SCHOOL	CITY	COUNTY	BOARD	CONTACT	PHONE
Northern AZ Academy/Career Dev.	Show Low	Navajo	CSB	Ray Cooper	(520) 537-7412
Round Valley Alternative Learning Center	Springerville	Apache	Round Valley	Linda Nelson	(520) 333-2412
St. Johns Alternative Learning Center	St. Johns	Apache	St. Johns	Linda Nelson	(520) 333-2412
Greyhills Academy High School	Tuba City	Coconino	SBE	Wendell McConnaha	(520) 283-6271
Pima County Adult Education (PCAE) Edge	Tucson	Pima	SBE	Greg Hart	(520) 740-8695
PPEP TEC	Tucson	Pima	CSB	John David Arnold, CEO	(520) 622-3553
TolChii' Kooh Charter School	Winslow	Navajo	Chinle	Ron White	(520) 686-6211 X 244
***Educational Opportunity Center**	Yuma	Yuma	CSB	John Morales	(520) 344-3778
LEARN Center School	Yuma	Yuma	CSB	Ben C. Rowe, Jr.	(520) 329-2310

*SCHOOLS IN BOLD OPENING FALL 1996

CHARTER SCHOOL APPROVALS & CHARTERS - Grade Levels

CHOOL	NEW/CONVERTED	ORGANIZERS	CITY	COUNTY	GRADE LEVEL
Ashfork Middle School	New	District	Ash Fork	Yavapai	6-8
Foothills Academy	Converted/Private	Private/Educator	Cave Creek	Maricopa	6-12
Ventana Academic School	Converted/Private	Educator/Parent	Cave Creek	Maricopa	K-8
Mingus Springs Charter School	New	Educator	Chino Valley	Yavapai	1-6
Glenmar Montessori School	Converted/Private	Business	Flagstaff	Coconino	Pre-K-6
Pine Forest School	Converted/Private	Parents	Flagstaff	Coconino	K-4
Benjamin Franklin Charter School	New	Business/Parents	Gilbert	Maricopa	K-12
Carmel Community Integrated Arts	New	Business	Gilbert	Maricopa	K-12
Edu-Prize	New	Educator	Gilbert	Maricopa	1-6
Touchstone Community Charter	Converted/CBO	CBO	Glendale	Maricopa	K-12
Kingman Academy of Learning	New	Educator	Kingman	Mohave	Pre-K-6
Boys and Girls Academy	New	CBO	Mesa	Maricopa	5-8
East Valley High School of	New	Educator	Mesa	Maricopa	9-12
Heritage Academy, Inc.	Converted/Private	Business	Mesa	Maricopa	7-12
ife School College Preparatory	New	Educator	Mesa	Maricopa	7-12
Pimeria Alta Learning Center	New	Educator	Nogales	Santa Cruz	6-12
Lake Powell Academy	New	Educator	Page	Coconino	K-5
Payson Center for Success	New	District	Payson	Gila	9-12
ABC Alternative Learning Center	Converted/Private	Educator	Phoenix	Maricopa	K-8
Academy of Lifelong Learning	Converted/Private	Non Profit	Phoenix	Maricopa	9-12
Arizona CALL-A-TEEN CENTER	Converted/CBO	CBO/Educator	Phoenix	Maricopa	9-12
Arizona Montessori Charter	Converted/Private	Business/Educator	Phoenix	Maricopa	K-8
Arizona School for the Arts	New	Educator	Phoenix	Maricopa	7-12
ATOP Academy	Converted/Private	Educator	Phoenix	Maricopa	K-8
Citizen 2000	New	Educator	Phoenix	Maricopa	K-12
Dragonfleye Charter School	New	Educator	Phoenix	Maricopa	K-12
Esperanza Montessori Academy	New	CBO	Phoenix	Maricopa	K-12
GateWay Community High School	New	Educators	Phoenix	Maricopa	9-12
Intelli-School	New	Educator	Phoenix	Maricopa	9-12
ATZ School	New	Educator	Phoenix	Maricopa	7-8

BEST COPY AVAILABLE

CHARTER SCHOOL APPROVALS & CHARTERS - Grade Levels

SCHOOL	NEW/CONVERTED	ORGANIZERS	CITY	COUNTY	GRADE LEVEL
Success School	New	Educators	Phoenix	Maricopa	6-12
Teen Choice Leadership Academy	Converted/CBO	CBO	Phoenix	Maricopa	4-12
Tertulia: A Learning	New	CBO	Phoenix	Maricopa	K-8
Valley Academies, Inc.	New	Parents	Phoenix	Maricopa	K-12
Villa Montessori School	Converted/Private	Business	Phoenix	Maricopa	K-8
Excel Education Centers, Inc.	New	Educator	Prescott	Yavapai	6-12
CASY Country Day School	Converted/Private	Business	Scottsdale	Maricopa	K-5
EduPreneurship	New	Educators	Scottsdale	Maricopa	4-6
New School for the Arts	New	Educators	Scottsdale	Maricopa	9-12
Scottsdale Horizons	Converted/Private	Business	Scottsdale	Maricopa	1-8
Sedona Charter School	Converted/Private	Business	Sedona	Yavapai	1-6
Northern AZ Academy/Career Dev.	Converted/CBO	CBO	Show Low	Navajo	9-12
Round Valley Alternative Learning	Converted/CBO	CBO	Springerville	Apache	9-12
St. Johns Alternative Learning	Converted/CBO	CBO	St. Johns	Apache	9-12
Arizona Career Academy	New	Educator	Tempe	Maricopa	9-12
Greyhills Academy High School	Converted/BIA	BIA	Tuba City	Coconino	9-12
Pima County Adult Education	Converted/CBO	CBO	Tucson	Pima	9-12
PPEP TEC	Converted/CBO	CBO	Tucson	Pima	9-12
TOLCHII' KOOH CHARTER	Converted/BIA	BIA	Winslow	Navajo	K-12
Educational Opportunity Center	Converted/CBO	CBO	Yuma	Yuma	9-12
LEARN Center School	New	CBO	Yuma	Yuma	9-12

FISCAL YEAR 1995 CHARTERED SCHOOLS LOG

Closing Date 07/14/95

Print Date: September 7, 1995

1. **ABC Alternative Learning Center**
Carolyn Sawyer-Cahal
4530 North Central Avenue
Phoenix, AZ 85012

Phone: **631-9390**
FAX: N/A

School Location:
4530 North Central Avenue
Phoenix, AZ 85012

Opening Date: **September 5, 1995**

Grades to be Served: K-6
Projected No. of Students: 175
District: Phoenix Elementary

Applicant's Description: The ABC Alternative Learning Center will provide a comprehensive basic skills curriculum for all grade levels Kindergarten through eighth. The school is committed to co-operative learning practices and school community partnerships with a central emphasis for all students on developing competency in basic skills thus enhancing students' self-confidence, leadership abilities and social competence.

2. **Academy of Lifelong Learning - Life Development Institute**
Robert Crawford
1720 East Monte Vista
Phoenix, AZ 85006-1958

Phone: **254-0822**
FAX: 253-6878

School Location:
1720 East Monte Vista
Phoenix, AZ 85006-1958

Opening Date: **August 21, 1995**

Grades to be Served: 9-12
Projected No. of Students: 50
District: Phoenix Union

Applicant's Description: The Academy of Lifelong Learning is a high school operating in a residential setting for individuals with learning and literacy problems who have experienced academic failure or underachievement with resulting academic and social exclusion. The overall goal of the Academy is to insure that each student is literate and possesses the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

3. **Arizona CALL-A-TEEN CENTER OF EXCELLENCE**
Bernice Lever or Gloria Junkersfeld
649 North Sixth Avenue
Phoenix, AZ 85003

Phone: **252-6721**
FAX: 252-2952

School Location:
641 North Sixth Avenue
Phoenix, AZ 85003

Opening Date: **August 21, 1995**

Grades to be Served: 9-12
Projected No. of Students: 60-120
District: Phoenix Union

Applicant's Description: CALL-A-TEEN CENTER OF EXCELLENCE has a unique program, specially designed to address the individual differences and needs of the at-risk student who is a potential dropout or who has already dropped out of school. The school is committed to implementing non-traditional approaches to address students' alternative learning styles, measuring success by assessing skills in use and providing an environment for learning that teaches skills in context and which have value beyond classroom walls. CALL-A-TEEN will develop academic skills that are transferable and can be functionally applied to life situations.

4. **Arizona Career Academy**
Michael R. Matwick
151 North Centennial Way
Mesa, AZ 85201

Phone: 668-5003
FAX:

Adele Ferrini
4927 North 42nd Way
Phoenix, AZ 85018

Phone: 668-5003
FAX:

School Location:
1430 East Baseline Road Phone No. 491-2374
Tempe, AZ 85283 FAX: 491-2510

Opening Date: **August 21, 1995**
151 North Centennial Way 668-5003
Mesa, AZ 85201 FAX: 668-5005

Grades to be Served: 9-12
Projected No. of Students: 300

District: Tempe Union/Mesa Unified

Applicant's Description: The Arizona Career Academy is committed to providing a coordinated program of core academic instruction, counseling, technical training and experiential learning for challenged youths. This model is designed to invite collaboration between the Arizona Career Academy and community partners in the fields of education, law enforcement and social services. The Arizona Career Academy will draw upon existing community resources to provide meaningful educational experiences for students who have not been successful in the traditional academic environment.

5. **Arizona Montessori Charter Schools**
Sandra Houston & Helene Stein
Montessori Children's Academy
6730 North Seventh Street
Phoenix, AZ 85014

Phone: 264-5245
FAX:

School Location:
1333 West Camelback Rd 274-7773
Phoenix, AZ 85013

Opening Date: **September 5, 1995**
7555 East Long Look Drive
Prescott Valley, AZ 85314 (K-6)

Grades to be Served: K-8
Projected No. of Students: 600

District: Madison Elementary

Applicant's Description: The mission of the Arizona Montessori Charter Schools is to teach children to observe, to think, to judge and to introduce the child to the joy of learning at an early age and provide a framework in which intellectual and social discipline go hand in hand.

6. **Arizona School For The Arts**
Dr. Mark S. Francis
214 East Willetta
Phoenix, AZ 85004

Phone: (602) 257-1444
FAX: (602) 252-7754

School Location:
214 East Willetta
Phoenix, AZ 85004

Opening Date: **August 30, 1995**

Grades to be Served: 7-10
Projected No. of Students: 200

District: Phoenix Elementary

Applicant's Description: The Arizona School For The Arts (ASA) will provide instruction for all Arizona students, grades 7-12, who want to enter into serious and rigorous study of the fine and performing arts - Creative Writing, Dance, Music, Theater and Visual Arts - and be evaluated at the conservatory level. ASA is a nonsectarian program and has no religious bias in any program or operation. ASA is in compliance with all laws pertaining to health, safety, civil rights and insurance.

7. **ATOP Academy**
Dr. Raymond Jackson
438 East Southern Avenue
Phoenix, AZ 85040

Phone: 274-5088
FAX: 274-5058

School Location:
2100 West Indian School Road
Phoenix, AZ 85015

Opening Date: August 30, 1995

Grades to be Served: K-8
Projected No. of Students: 220

District: Phoenix Elementary

Applicant's Description: ATOP Academy was founded on the belief that "all children can learn" and achieve high academic success when they are taught the how-to of learning. The Academy will serve K-8 students who are not performing well academically in a traditional school setting.

8. **Benjamin Franklin Charter Schools Of Arizona**
Eddie Farnsworth
P.O. Box 2104
Mesa, AZ 85214-2104

Phone: (602) 497-8822
FAX: N/A

School Location:
2345 North Horne Avenue 649-0712
Mesa, AZ 85203

Opening Date: September 11, 1995

Grades to be Served: K-3
Projected No. of Students: 175

District: Mesa Unified

Applicant's Description: Benjamin Franklin Charter Schools of Arizona will provide a back-to-basics program for parents who wish to be very involved with their child's education. It will emphasize phonics-based instruction, strict discipline, high academic standards, mandatory homework and a dress code.

9. **The Boys and Girls Academy**
Gary Yazwa
Boys and Girls Club of the East Valley
1405 East Guadalupe Road, Suite #4
Tempe, AZ 85283

Phone: 820-3688
FAX: 820-4093

School Location:
221 West Sixth Avenue Phone: 844-3965
Mesa, AZ 85210 FAX: 844-0255

Opening Date: August 21, 1995

Grades to be Served: 5-6
Projected No. of Students: 90-100

District: Mesa Unified

Applicant's Description: The Boys and Girls Academy of Mesa, sponsored by the Boys and Girls Club of the East Valley, has as its mission, "The provision of an excellent basic education for middle school students," (fifth through eighth grades). This is accomplished through an arts-based curriculum which provides a continuum of educational skills using art, drama, dance and music. Students are also exposed to television and radio techniques, and learn through computer and satellite technology. The Academy intends to develop a heightened interest in continuing education and develop to the fullest possible extent the skills and talents of the youth from the surrounding neighborhoods who attend.

BEST COPY AVAILABLE

10. **Carmel Community Integrated Arts Charter School**
Jacci D. Hall — Phone: 926-9680
305 West Barrow Drive — FAX: 926-9419
Chandler, AZ 85224

School Location: — Opening Date: August 28, 1995
55 North Greenfield Road Phone No. 926-3737
Gilbert, AZ 85234

Grades to be Served: K-12 — District: Gilbert Unified
Projected No. of Students: 260

Applicant's Description: The Carmel Community Integrated Arts (CCIA) Charter School emphasizes education in and through Integrated Performing Arts, Fine Arts, Therapeutic Arts, Multi-media Arts, and Arts in Education. The school also has a focus on vocational applications of all art forms enhanced by work experience. The Arizona Essential Skills, Life Skills, Social Skills, Leisure Education, American Sign Language and Conversational Spanish are taught using Integrated Arts as the primary tool and Educational Kinesiology for learning readiness and retention. The entire school community will work cooperatively to create a student-centered environment in which all partners are empowered by their own sense of ownership and responsibility to the school. We are committed to an extended school year and flexible hours. This environment allows students to sample a wide variety of art forms, set their own creative goals, and design their own projects. The partnership of school and community provides the experiences and education necessary to support the students in their efforts.

11. **CASY Country Day School**
John D. Spero — Phone: 951-3190
7214 East Jenan Drive — FAX:
Scottsdale, AZ 85260

School Location: — Opening Date: August 22, 1995
7214 East Jenan Drive
Scottsdale, AZ 85260

Grades to be Served: K-3 — District: Scottsdale Unified
Projected No. to be Served: 105

Applicant's Description: CASY Country Day School provides a highly individualized, integrated, hands-on curriculum which stresses high academic achievement and the performing arts. Intellectual growth and a positive self-image are fostered by a firm foundation in basic skills and enhanced by the broad-based curriculum which includes music, drama, physical education and fine arts.

12. **CITIZEN 2000**
Lawndia White Venerable, Ed.D. — Phone: 379-0001
P.O. Box 44306 — FAX: 379-0067
Phoenix, AZ 85064

School Location: — Opening Date: August 17, 1995
1875 North Central Avenue
Phoenix, AZ 85004

Grades to be Served: K-12 — District: Phoenix Elementary
Projected No. of Students: 360

Applicant's Description: The mission of CITIZEN 2000 is to create in its students an enthusiasm and commitment to lifelong learning which will enable its students to be competitive in an ever-changing, highly technological and global society. The curricula of CITIZEN 2000 is designed to develop, expand and enrich the intellectual, social and emotional faculties of its students. CITIZEN 2000 is based on the "United Nations" model, where students are encouraged: 1) to be able to read, understand, translate, and converse in more than one language; 2) to investigate, cross-examine, review, and discuss human diversity issues, including an historical perspective of multiple cultures, languages, protocols, and norms; and 3) to become sophisticated problem-solvers with greater access to information on worldwide databases, networks, and resource centers.

13. The Dragonfleye Charter School

Lon C. Brouse
2938 East Piute Avenue
Phoenix, AZ 85024

Phone: 569-6964
FAX:

Contact:
Gail Battistella
15237 North 46th Place
Phoenix, AZ 85032

Phone: 971-4483

School Location:
10202 North 19th Avenue
Phoenix, AZ 85021

Opening Date: **September 5, 1995**

Grades to be Served: K-8
Projected No. of Students: 200

District: Washington Elementary

Applicant's Description: The Dragonfleye Charter School is an innovative, hands-on training community. The school will focus on science, mathematics, computer applications, and oral and written communications. Daily learning will be built around the Echo Mountain Science Lab philosophy, discipline, and activities. This proven method of teaching self-reliance and self-motivation will be the focus for the entire school. Students successfully completing our course of study will be prepared to begin work or compete for positions in science or technology-oriented colleges or universities. Our life-experienced instructors will bring authoritative knowledge to our classrooms, making learning come alive for all our students.

14. East Valley High School of Business Management

David E. Miller
450 South Arcadia #1039
Mesa, AZ 85204

Phone: 689-5252 (day)
730-9405 (message)
835-1238 (home)
FAX: 730-9405 (call first)

Opening Fall 1996

School Location:

Grades to be Served: 9-12
Projected No. of Students: 50

District:

Applicant's Description: East Valley High School of Business Management will focus its emphasis on business management concepts while providing a comprehensive program of study to prepare students to meet college and university admissions requirements. Classes on Friday are designed as business application labs and the senior year of study is dedicated exclusively to college-level courses and a business apprenticeship program.

15. EduPrize

Dr. Lynn Robershotte
502 East Houston Avenue
Gilbert, AZ 85234

Phone: 545-4580
Mobile: 397-9069
FAX: 545-5692

Contact:
JoAnna Curtis
1649 East Hackamore Street
Mesa, AZ 85203

Phone: 890-0678

School Location: **813-9537**
55 North Greenfield Road
Gilbert, AZ 85234

Opening Date: **July 25, 1995**

Grades to be Served: 1-6
Projected No. of Students: 125

District: Gilbert Unified

Applicant's Description: The Edu-Prize goal is to actively engage all students in the learning process through the use of multiple modality activities, multi-age class configurations, productions of "real world" products, and use of concrete applications and developmental appropriateness across all curricular content. This unique year-round primary school (grades 1-6) is committed to a low student-teacher ratio (15 to 1). Students will be involved in apprenticeships with intermediate-aged masters and community mentors. The Edu-Prize concept will strengthen the school-community bond and will provide opportunities for weekly field experiences and campus presentations by community experts.

16. **Educational Opportunity Center — Yuma Private Industry Council Inc.**

John Morales
Administrative Director
2450 South Fourth Avenue, Suite 107
Yuma, AZ 85364

Phone: (520) 344-3778
FAX: (520) 344-2826

Opening Fall 1996

School Location:
2450 South Fourth Avenue, Suite 107
Yuma, AZ 85364

Opening Date: **August 1, 1996**

Grades to be Served: 9-12
Projected No. of Students: 100
District: Yuma Union High

Applicant's Description: The Educational Opportunity Center has an individualized program, designed to address the needs of the at-risk student who is a potential dropout or who has already dropped out of school. A non-traditional approach will be utilized to encompass individual learning styles, assess students' strengths, build upon them, and work in areas where the students need to improve. School-to-work tranistion will be stressed with students learning skills in context which can easily be transferred to the work environment.

17. **EduPreneurship**

Carol Ann Sammans
11435 North 98th Way
Scottsdale, AZ 85260

Phone: 990-2475
FAX:

School Location:
1201 North 85th Place
Scottsdale, AZ 85257

Opening Date: **August 21, 1995**

Grades to be Served: 4-8
Projected No. of Students: 165
District: Scottsdale Unified

Applicant's Description: EduPreneurship is a multi-age, non-graded intermediate school. Approximately 16 students are assigned to a thematic cottage for a nine-week period. Each cottage will be part of our micro community where students will participate in simulated "real world" activities that will offer students an opportunity to practice their core curriculum skills, product-based activities, civic responsibilities, and citizenship skills as members of their community.

18. **Esperanza Montessori Academy**
Armando Ruiz, Board Chair
24 East Cody Drive
Phoenix, AZ 85040

Phone: 276-5714 (answering machine)
FAX:

School Location:
16 East Cody Drive
Phoenix, AZ 85040
Phone: **243-7788**

Opening Date: **August 8, 1995**

Grades to be Served: K-12
Projected No. of Students: 225
District: Roosevelt Elementary

Applicant's Description: Esperanza Montessori Academy will serve students in grades Kindergarten through twelve. Consistent with Montessori methods, students will be placed in multi-age groupings with up to twenty-five students per group. During the first school year, 1995-96, Esperanza Montessori Academy anticipates serving one hundred fifty children in Kindergarten through third grade, twenty-five students in grades four through six, ten in grades seven and eight, and forty pupils in high school.

19. **Excel Education Centers, Inc.** (formerly Vocations Unlimited Inc.)
Michael Gerdes
1040 Whipple Street #401
Prescott, AZ 86301

Phone: (520) 778-5764
FAX: (520) 778-5766

School Locations:
1040 Whipple Street #401
Prescott, AZ 86301

515 East Hwy. 89A, #1
Cottonwood, AZ 86326
(520) 634-2065
FAX: same

411 North Sixth Street
Williams, AZ 86046
(520) 635-4399
FAX: same

Opening Date: **August 23, 1995**

Grades to be Served: 6-12
Projected No. of Students: 150
District: Various

Applicant's Description: Excel Education Centers provide an alternative school setting for grades 6-12. Excel has three sites: 2 in Yavapai County and 1 in Coconino County. The educational program is designed to serve "at-risk" students who for various reasons have not been successful in a traditional classroom. The educational program is individualized, competency based and computer assisted.

20. **Foothills Academy**
Donald S. Senneville
P.O. Box 4229
Cave Creek, AZ 85331

Phone: **488-5583**
FAX: none

School Location:
6424 East Cave Creek Road
Cave Creek, AZ 85331

Opening Date: **August 28, 1995**
Phone: (602) 488-5583

Grades to be Served: 6-12
Projected No. of Students: 63
District: Cave Creek Unified

Applicant's Description: The mission of the Foothills Academy is to prepare children with educational skills and a sense of self-worth so they can understand, progress in, and contribute to the evolving world. We believe that academic excellence is achieved through individualized learning and a product-oriented curriculum supported by advanced research skills. Our goal is to teach thinking and valuing skills through an integrated curriculum founded in the environment and the arts. Through this process, students will develop technical, cultural, and aesthetic literacy. It is our objective that all our students be admitted into the college of their choice.

21. **GateWay Community High School**
Andrew P. Bernal, Dean of Instruction
David Curd
GateWay Community College
108 North 40th Street
Phoenix, AZ 85034

Phone: 392-5179
Phone: **392-5466**
FAX: 392-5329

School Location:
108 North 40th Street Phone: 392-5466
Phoenix, AZ 85034

Opening Date: **July 1, 1995**

Grades to be Served: 9-12
Projected No. of Students: 300

District: Phoenix Union

Applicant's Description: The goal of GateWay Community High School will be to academically prepare 16- to 21-year-old students to enter the labor force in technical and/or health career areas or to pursue postsecondary education.

22. **Glenmar Montessori School**
James E. and Marlane K. Spencer
1000 East Appalachian Road
Flagstaff, AZ 86004-1775

Phone: (520) 774-8685 (h)
(520) 779-1212 (w)
FAX: (520) 526-0015

School Locations:

Discovery Montessori-Cedar
2212 East Cedar Avenue
Flagstaff, AZ 86004
(520) 774-1600

Discovery Montessori
2025 North East Street
Flagstaff, AZ 86004
(520) 779-1212

Montessori School of Flagstaff
575 West University
Flagstaff, AZ 86001
(520) 774-9502

Opening Date: **August 21, 1995**

Grades to be Served: Pre-K-6
Projected No. of Students: 207

District: Flagstaff Unified

Applicant's Description: Glenmar Montessori School is the largest and oldest operating Montessori school in Northern Arizona and has operated as a subsidiary of The Glenmar Corporation for the past three years. Glenmar Montessori will continue offering Pre-K through 3rd grade programs and extended child care, and later, will develop 4th through 6th grades as demand materializes.

23. **Greyhills Academy High School**
Tuba City High School Board, Inc., dba
Greyhills Academy High School
P.O. Box 160
Tuba City, AZ 86045

Phone: (520) 283-6271
FAX: (520) 283-6604

Contact:
Kenneth Nez, President

Phone: (520) 283-6271

School Location:
Box 160-Warrior Drive
Tuba City, AZ 86045

Opening Date: **August 14, 1995**

Grades to be Served: 9-12
Projected No. of Students: 600

District: Tuba City Unified

Applicant's Description: Greyhills Academy High School-Tuba City offers over 100 courses of study each year which are organized around the lower division *Core Requirements* and the upper division *Academy Programs of Study*. The Freshmen and Sophomore years are organized as the Lower Division sheltered *Core Program* to meet a major portion of the minimum state requirements for high school graduation. The Junior and Senior years are designed as the Upper Division *College Tech Pre-Academy* for matriculation into the workforce apprenticeship, community or technical college, or a four-year college/ university.

24. **Heritage Academy, Inc.**
Earl Taylor, Jr.
316 South LeSueur
Mesa, AZ 85204

Phone: 969-5641 (school)
FAX: 969-6972

School Locations:
316 South LeSueur
Mesa, AZ 85204

849 North Main Phone: (520) 634-2144
Clarkdale, AZ 86324 FAX: (520) 634-0351

Opening Date: **August 21, 1995**

Grades to be Served: 7-12
Projected No. of Students: 265
District: Mesa Unified

Applicant's Description: The purpose of education is to build strong character. Strong character is reflected in strong families, strong communities, and a strong nation. While teaching the academic disciplines, Heritage Academy is dedicated to instilling into the minds and hearts of today's youth a knowledge of and respect for the ideals and values of the great men and women of history, including those who founded the American nation. As today's rising generation gains an appreciation of these people of accomplishment, they will be ready to provide the selfless service to their fellow citizens and to their country which will be required in the coming years to assist in restoring America's greatness. Heritage Academy exists to this end.

25. **Intelli-School**
Patricia Shaw, President
33 East McDowell Road
Phoenix, AZ 85006

Phone: 252-8555
FAX: 944-7577

Diana Myers

School Location: 252-8555
33 East McDowell Road
Phoenix, AZ 85006

Opening Date: **September 5, 1995**

Grades to be Served: 9-12
Projected No. of Students: 50
District: Phoenix Union High

Applicant's Description: Intelli-School's purpose is to provide a totally innovative, non-traditional approach to educating high school age students by providing a completely computer driven educational environment and the technical training in computer technology and programming. Intelli-School's intent is to take special needs students, non-traditional learners and allow them a self-paced arena in which to obtain their high school diploma as well as technical training for future employment in the computer and semi-conductor industry.

26. **Kingman Academy of Learning**
Betty Rowe
300 Grandview
Kingman, AZ 86401

Phone: (520) 753-3456
FAX: (520) 753-3546

School Location: (520) 753-3456
400 Grandview
Kingman, AZ 86401

Opening Date: **August 21, 1995**

Grades to be Served: Pre-K-6
Projected No. of Students: 200
District: Kingman Unified

Applicant's Description: The Academy of Learning will be a preschool - 6th grade basic skills school, emphasizing the reading and language arts, math and science. Many activities will be provided in writing across the curriculum with emphasis on correct writing and speaking skills. Behavior goals will be based on students being totally responsible for their actions and learning while respecting the rights of all people. There will be a strong relationship between parents and the school. Parents will become our partners in the learning process, being required to volunteer 30 minutes per week in the school. We would like to encourage all aspects of the community to support the functions of the school. Student expectations in all areas of learning and living will be high. State-certified teachers will be selected because of their excellence.

27. **Lake Powell Academy**
Pamela F. Brown, Ed. D.
P.O. Box 3538
Page, AZ 86040

Phone: (520) 645-9448
FAX:

Opening Fall 1996
School Location:

Grades to be Served: K-5
Projected No. of Students: 250
District: Page Unified

Applicant's Description: Lake Powell Academy offers K-5 learners an enriched learning environment, provides continuous academic progress, and encourages social responsibility in a family setting. Pace, method and level of instruction are adapted to each individual learner. Rich learning experiences emphasize mastering the building blocks of learning, applying higher-level thinking skills, developing effective problem-solving techniques, communicating effectively and assuming personal responsibility in a supportive environment.

28. **The LEARN Center School**
Ben C. Rowe, Jr.
2795 South Avenue B
Yuma, AZ 85364

Phone: (520) 329-2310
FAX: (520) 726-4720

School Location:
2795 S. Avenue B
Yuma, AZ 85364

Opening Date: **September 5, 1995**

Grades to be Served: 9-12
Projected No. of Students: 60
District: Yuma Unified

Applicant's Description: The purpose of the LEARN Center School is to provide a comprehensive individualized educational and vocational experience for high school-aged students at risk. The LEARN Center School will become a transitional education alternative for those students who leave the detention center who do not attend an educational program after release. Subsequently, the LEARN Center School will be available to all students who are not attending local public school.

29. **Life School College Preparatory**
Jim Alverson
2830 East Brown Road, Ste. 4
Mesa, AZ 85204

Phone: 497-5337
FAX:

School Location:
2830 East Brown Road, Bldg. A **Phone: 985-6112 after 9/11/95**
Mesa, AZ 85213

Opening Date: **September 5, 1995**

Grades to be Served: 7-12
Projected No. of Students: 100
District: Mesa Unified

Applicant's Description: Life School is a college-preparatory, secondary school emphasizing career awareness by utilizing professional mentors and off-campus apprenticeships to develop young people.

30. **Mingus Springs Charter School**
P.O. Box 827
Chino Valley, AZ 86323

Lynda C. Rice
P. O. Box 123
Chino Valley, AZ 86323
Phone: (520) 636-4604 (H)
(520) 636-4677 (W)
FAX: (520) 636-4604

Cathy O'Connell
245 North Road 1 East
Chino Valley, AZ 86323
Phone: (520) 636-5231

School Location:
Opening Date: **September 5, 1995**

Grades to be Served: 1-6
Projected No. of Students: 72
District: Chino Valley Unified

Applicant's Description: The Mingus Springs Charter School is designed to provide 1) an alternative learning environment that is conducive to the development of individual human potential, and 2) quality education that will promote high self-esteem and academic success. To achieve this, Mingus Springs Charter school will consist of three, multi-age grouped classes of elementary grades 1-6, each consisting of 18 students. The bulk of each class will be two age (or grade) levels with an "overflow" on either end of students who need to master skills at a higher or lower level. Each child will have the same teacher for 2-3 years consecutively. An integrated curriculum will be taught through thematic units, cooperative learning, and the implementation of critical thinking skills.

31. **New School for the Arts**
Ronald F. Caya
7475 East McDowell Road
Scottsdale, AZ 85257
Phone: 481-9235
FAX:

School Location:
7475 East McDowell Road Phone: **481-9235**
Scottsdale, AZ 85257
Opening Date: **September 5, 1995**

Grades to be Served: 9-12
Projected No. of Students: 225
District: Scottsdale Unified

Applicant's Description: The New School for the Arts (NSA) is dedicated to providing students who demonstrate desire, interest and talent in the arts, with the opportunity to pursue a rigorous integrated academic and arts program with individualized performance-based assessment activities. This will lead to a career in the arts by focusing on interactive partnerships with community organizations and practicing professional artists. The NSA is committed to providing all students with a culturally diverse curriculum. An annual assessment will be made with goals and individual objectives developed collaboratively by teachers, parents, and students for the following semester. Student achievement will be assesed using various types of traditional and preformance-based assessments.

32. **Northern Arizona Academy for Career Development**
Ray Cooper
1233B Fawnbrook Drive
Show Low, AZ 85901
Phone: (520) 537-7412
FAX: (520) 537-5376

School Locations:
1233B Fawnbrook Drive
Show Low, AZ 85901
Opening Date: **August 14, 1995**

Grades to be Served: 9-12
Projected No. of Students: 150
District: Show Low Unified

Applicant's Description: This charter school is designed to operate countywide. It offers a nontraditional approach to academic achievement of a high school education. The school includes core academic subjects, vocational and work experience components.

33. **PCAE-Edge Program**
Greg Hart, Director — Phone: (520) 740-8695
Pima County Adult Education — FAX: (520) 622-9181
130 West Congress, Room 540
Tucson, AZ 85701

School Location: — Opening Date: **August 21, 1995**
1602 South Third Avenue Phone: 884-8688
Tucson, AZ 85713

Grades to be Served: 9-12 — District: Tucson Unified
Projected No. of Students: 372

Applicant's Description: The PCAE-Edge Program is an educational alternative for disadvantaged youth, ages 14-21, who have dropped out of school or are at risk of doing so. Edge addresses the needs of its students by offering a multi-modal, individualized, self-paced curriculum that uses computer-assisted instruction along with other teaching tools and materials. Its academic program is designed to address basic skills deficiencies as well as provide a comprehensive high school completion curriculum. In addition, Edge provides intensive counseling and counseling activities, including personal/crisis counseling; vocational assessment and counseling; pre-employment and employability skills training; life skills; student service learning and transition services once students have completed their program goals and are ready to move on.

34. **The Pimeria Alta Learning Center of Santa Cruz County**
Roberto Canchola — Phone: (520) 761-7800 x3058
2150 North Congress Avenue — FAX: (520) 761-7855
Nogales, AZ 85628

Sandra Potter — Phone: (520) 743-8819
1700 North Westridge Avenue — FAX: (520) 761-7855
Tucson, AZ 85745

School Location: — Opening Date: **October 9, 1995**
Bank One Building
15 North Morley Avenue
Nogales, AZ 85628

Grades to be Served: 6-12 — District: Nogales Unified
Projected No. of Students: 100

Applicant's Description: The Pimeria Alta Learning Center will provide an alternative educational opportunity for students from 6th-12th grades. The school was created with the understanding that education is a shared responsibility of all stakeholders. This school provides a unique opportunity to create a learning environment through uncommon means with a flexibility and latitude in providing innovative curriculum development and instruction in a multilingual environment.

35. **Pine Forest School**
Teresa Vail
Flagstaff Waldorf Education Association — Phone: (520) 525-9407
472 Forest Highlands — FAX: (520) 525-9834
Flagstaff, AZ 86001

School Location: — Opening Date: **August 28, 1995**
472 Forest Highlands
Flagstaff, AZ 86001

Grades to be Served: K-4 — District: Flagstaff Unified
Projected No. of Students: 90-105

Applicant's Description: The Pine Forest School will establish a Waldorf-modeled school to serve students in grades K-4 with expansion to grade 8 in five years. The curriculum is based on a developmental model created by Rudolf Steiner which holds that children have very identifiable stages of development and that their education must be appropriate to the specific stages of development. The teaching staff will be trained in the Waldorf teaching methods at existing Waldorf Teacher Training Centers. The school will have a very specific curriculum by grade level and students will be assessed through their work and portfolios. The school will be governed by a governance council consisting of parents and teachers. Teachers will be evaluated annually. The school will also be evaluated on an annual basis by representatives from the district, the charter school and/or the Association of Waldorf Schools of North America.

36. **PPEP TEC**
John David Arnold, Ph.D., CEO
806 East 46th Street
Tucson, AZ 85713

Phone: (520) 622-3553
FAX: (520) 622-1480

Contact:
Rob Whitmire, Executive Director
806 East 46th Street
Tucson, AZ 85713

Phone: (520) 622-3553
FAX: (520) 622-1480

School Locations:

Opening Date: **August 21, 1995**

Main Campus
806 East 46th Street
Tucson, AZ 85713

Branch Campus
218 & 220 East Florence Blvd.
Casa Grande, AZ 85222

Branch Campus
10455 West B Street
San Luis, AZ 85349

Branch Campus
85 West Boston
Chandler, AZ 85224

Branch Campus
144 West Main Street
Somerton, AZ 85350

Branch Campus
1012 G Avenue
Douglas, AZ 85607

Branch Campus
210 North Central Avenue
Avondale, AZ 85323

Branch Campus
112 West Jesse Street
Willcox, AZ 85643

Grades to be Served: 9-12
Projected No. of Students: 390
District: Various

Applicant's Description: PPEP TEC Charter Schools are designed to serve the needs of the residents of rural Arizona. In its 27 year history of meeting the education and vocational training needs of rural Arizona, PPEP has especially concentrated on serving the under-served, including families with low-incomes, American Indians, Mexican-Americans, bilingual students and others. PPEP TEC Charter Schools will especially target dropouts and at-risk youth 16-21 years of age.

37. **The SATZ School**
Mr. Fred Bennett
7000 North Central
Phoenix, AZ 85020

Phone: 943-1317
FAX:

Contact:
Ms. Nancy Cooper
7000 North Central
Phoenix, AZ 85020

Phone: 943-1317
FAX:

School Location:
7000 North Central Avenue Phone No. 943-1317
Phoenix, AZ 85020

Opening Date: **August 21, 1995**

Grades to be Served: 7-8
Projected No. of Students: 60
District: Madison Elementary

BEST COPY AVAILABLE

Applicant's Description: The goal of the SATZ School is to build a solid grounding in basic disciplines for 7th and 8th grade students. Students attending the SATZ School learn and practice principles of self-discipline concurrently with group efforts. Curricula emphasize language skills, communication and problem-solving by applying many disciplines in close coordination with teachers. Teacher-to-student ratio is low. Student success is measured in concrete outcomes by recognized, well-established student performance standards. Parent involvement is a must and is assured by contract with the school for specific action. The SATZ School operates a schedule coordinated with local high schools and allows "testing out" for individualized student pacing.

38. **Scottsdale Horizons**
Judy White
7425 East Culver
Scottsdale, AZ 85257

Phone: 990-7223
FAX: 990-0936

School Location:
7425 East Culver
Scottsdale, AZ 85257
Phone: 990-7223

Opening Date: **August 28, 1995**

Grades to be Served: 1-8
Projected No. of Students: 150
District: Scottsdale Unified

Applicant's Description: Established in 1980, this accredited school offers individualized daily lesson plans. The non-graded, 100% Skill Master approach emphasizes the student's ability to apply what they have learned and provides the opportunity to excel. Reading success is a primary focus. Specially designed, individual curriculum packets are the basis for the Phonetic Reading/Spelling Mastery Program.

39. **Sedona Charter School**
Carrie DeVore
90 Deer Trail Drive
Sedona, AZ 86336

Phone: (520) 204-6464
FAX: (520) 204-9302 9/11/95

School Location:
3270 White Bear Road
Sedona, AZ 86336

Opening Date: **September 5, 1995**

Grades to be Served: 1-5
Projected No. of Students: 80-120
District: Sedona/Oak Creek

Applicant's Description: Rooted in the teachings of Dr. Maria Montessori and enriched by Integrated Thematic Instruction, the Sedona Charter School creates an intimate, individualized, multi-age learning environment which will help each child realize his or her full inherent potential. The Sedona Charter School is a public school and offers a choice for parents, students, and educators who want an emphasis on well-directed learning and active participation in the learning process. Key design elements include: partnership agreements that honor parental responsibilities, self-governance by a council composed primarily of parents and educators, individualized instruction, flexible staffing models, and mutually beneficial relationships with community resources.

40. **Success School**
Community Learning Information
Network of Arizona, Inc. (CLIN)
109 South Mesa Drive
Mesa, AZ 85210

Phone: 944-8557
FAX: 861-9150

Theodore C. Kraver
225 West Orchid Lane
Phoenix, AZ 85021

Phone: 944-8557
FAX: 861-9150

School Locations:
Success Institute & Phoenix Learning Center
2210 North Seventh Street Phone No.: 254-2201
Phoenix, AZ 85006

Opening Date: **July 1, 1995**

Tucson Learning Center
3433 East Ft. Lowell Road, Ste. 103
Tucson, AZ 85716

Mesa Learning Center
403 East First Drive
Mesa, AZ 85210

Yuma Alternative Learning Center
536 South Main Street
Suites, D, E, and F
Somerton, AZ 85350

South Yuma Co. Learning Center
Arizona Western College Bldg.
23141 South Highway 95
San Luis, AZ 85349

Yuma Learning Center
JTPA Building
2725 Avenue B
Yuma, AZ 85364

Grades to be Served: 6-12
Projected No. of Students: 276-424
District: Various

Applicant's Description: Success School is established as a model alternative and correctional education program providing a comprehensive individualized and integrated educational experience for middle and high school-age students at risk. The open-entry/ open-exit program of instruction is an accelerated, transitional education model focused on troubled youth seeking a pathway to the American Dream through principle-centered learning experiences. CLIN ARIZONA will establish learning centers and contract for collaborative support networks using education technology and quality business principles to guarantee success for all students.

41. **Teen Choice Leadership Academy**
Mary M. Black
1522 East Southern Avenue
Phoenix, AZ 85040

Phone: 243-1773
FAX: 276-1984

School Location:
1522 East Southern Avenue
Phoenix, AZ 85040

Opening Date: **September 5, 1995**

Grades to be Served: 4-10
Projected No. of Students: 250
District:

Applicant's Description: Teen Choice Leadership Academy is committed to improving the quality of life for Arizona youth by providing them with a comprehensive approach to education integrated with social/behavioral health services. The focus on school, family, community and business partnerships will provide opportunities for youth that contribute significantly to their academic, social and behavioral well-being.

42. **Tertulia: A Learning Community**
Monica Liang
Jesús Aguirre
2942 North 24th Street, Suite 107
Phoenix, AZ 85016

Phone: 954-9044
FAX: 954-9917

Opening Fall 1996

School Location:

Grades to be Served: K-8
Projected No. of Students: 120
District:

Applicant's Description: *Tertulia: A Learning Community* is an academically challenging bilingual program which will prepare students from Kindergarten through third grade to be successful and competitive in today's world arena. *Tertulia* students will be proficient in at least two languages; have strong math and science backgrounds; be critical thinkers; be knowledgeable of local, national and global affairs, and aware of the impact that these have on their community; develop mutually beneficial relationships with the community; and have the skills to be productive, both independently and collaboratively.

43. **Touchstone Community Charter School**
N. Jayne Shaw
4202 East Union Hills Drive
Phoenix, AZ 85024

Phone: 930-8705
FAX: 930-8709

School Locations:
4202 East Union Hills 992-2941
Phoenix, AZ 85024

Opening Date: **September 18, 1995**
7905 North 71st Avenue 930-8705
Glendale, AZ 85303

Grades to be Served: K-12
Projected No. of Students: 150
District: Various

Applicant's Description: Our school is designed to serve the needs of Phoenix youth at risk and their families. Touchstone provides a structured learning environment with the benefit of a therapeutic component.

44. **Valley Academies, Inc.**
Thomas Reid
P.O. Box 11294
Glendale, AZ 85318

Phone: 843-5840
Phone/FAX: 780-1040

School Location:
1520 West Rose Garden Lane
Phoenix, AZ 85027

Opening Date: **September 11, 1995**

Grades to be Served: 1995-96 K-10 1997-98 K-12
Projected No. of Students: 660 780
District: Deer Valley Unified

Applicant's Description: Valley Academy will be a skills and knowledge-based K-12 school requiring high academic and behavioral standards of every student. An extended school day, reduced student-teacher ratio for reading instruction, early introduction to foreign languages and keyboarding skills, and appropriate elective classes and extra-curricular activities will help students excel. From a strong foundation of basic skills and information, students will increasingly utilize core learnings in academic applications that lead to higher-level thinking, decision making, and problem-solving skills.

45. **Ventana Academic School**
Marian Lamb
Ventana Academic School
6424 East Cave Creek Road
P.O. Box 1714
Cave Creek, AZ 85331

Phone: 488-9362
FAX: 488-6808

School Location:
6424 East Cave Creek Road
Cave Creek, AZ 85331

Opening Date: **September 5, 1995**

Grades to be Served: K-5
Projected No. of Students: 160
District: Cave Creek Unified

Applicant's Description: Ventana Academic School offers a science and technology-based elementary school program. The traditional subjects are integrated within hands-on projects that emphasize the use of the scientific method and computer literacy. Overall, our goal is to have the children experience the joy of exploration and discovery.

48

46. Villa Montessori School
Marilyn Burbach
4535 North 28th Street
Phoenix, AZ 85016

Phone: 955-2210
FAX: 957-4017

School Locations:
Villa Montessori
4535 North 28th Street
Phoenix, AZ 85016

Opening Date: **August 28, 1995**
Scottsdale Villa Monetssori
2928 North 67th Place Phone No. 945-1121
Scottsdale, AZ 85251 FAX: 784-2928
ages: 2-6

Grades to be Served: K-6
Projected No. of Students: 145
District: Various

Applicant's Description: Villa Montessori Elementary School provides a Montessori-based curriculum, designed to improve the academic performance and attitude of students by employing an integrated, multiple-intelligence approach to learning and living.

DISTRICT CHARTERED SCHOOLS LOG

Ashfork Middle School
Kathleen Karol
P.O. Box 247
Ash Fork, AZ 86320

Phone: (520) 637-2561
FAX: (520) 637-2623

School Location:
Fifth & Eldorita Avenue
Ash Fork, AZ 86320

Grades to be Served: 6-8
Projected No. of Students: 60
Sponsor District: Ashfork Unified

Applicant's Description: The curriculum of the Charter School will empahsize student responsibility and caring demonstrated in Micro Society and participation in multidisciplinary themes.

Payson Center for Success
Roy Sandoval
P.O. Box 919
Payson, AZ 85547

Phone: (520) 474-2070
FAX: (520) 472-2013

Grades to be Served: 9-12
Sponsor District: Payson Unified
Projected No. of Students:

Opening Fall 1996

School Location:

Applicant's Description: The Payson Center for Success will provide students with academic and vocational competencies necessary to meet the challenges of a twenty-first society. Careful screening, thoughtful curriculum design and authentic performance assessment provide a framework within which all students can succeed. Moreover, the symbiotic relationship between the charter school and its sponsor, the Governing Baord, will allow the Site Council and instructors to maintain their primary focus as helping students achieve educational goals.

Round Valley Alternative Learning Center
Linda Nelson
Apache County JTPA Career Center
P.O. Box 606
Springerville, AZ 85938

Phone: (520) 333-2412
FAX: (520) 333-2412

School Location:
Highway 260, Los Arcos Plaza
Springerville, AZ 85938

Grades to be Served: 9-12
Projected No. of Students: 15
Sponsor District: Round Valley Unified

Applicant's Description: The mission of the Round Valley Alternative Learning Center is to partner with agencies and business in the community to provide each student with innovative learning experiences that develop positive intellectual, social and physical outcomes, to promote self-directed, lifelong learning, and to facilitate the student's ability to make responsible decisions. Further, RVALC is committed to providing each student with the opportunity to be successful in obtaining a high school diploma.

BEST COPY AVAILABLE

St. Johns Alternative Learning Center
Linda Nelson
Apache County JTPA Career Center
P.O. Box 606
Springerville, AZ 85938

Phone: (520) 333-2412
FAX: (520) 333-2412

School Location:
Pioneer School
City of St. Johns Building
245 West First South
St. Johns, AZ 85936

Grades to be Served: 9-12
Projected No. of Students: 15
Sponsor District: St. Johns Unified

Applicant's Description: The mission of the St. Johns Alternative Learning Center is to partner with agencies and businesses in the community to provide each student with innovative learning experiences that develop positive intellectual, social and physical outcomes, to promote self-directed, lifelong learning, and to facilitate the student's ability to make responsible decisions. Further, SJALC is committed to providing each student with the opportunity to be successful in obtaining a high school diploma.

TolChii' Kooh Charter School
Ron White, Assistant Superintendent
% Leupp Schools, Inc.
HC 61
Winslow, AZ 86047

Phone: (520) 686-6211 X 244
FAX: (520) 686-6216

Grades to be Served: K-12
Projected No. of Students: 452
Sponsor District: Chinle Unified

School Locations:
Leupp Schools
HC 61
Winslow, AZ 86047

Little Singer Community School
HC 61, Box 239
Winslow, AZ 86047

Applicant's Description: "In cooperation with the home, it is the mission of the TolChii' Kooh Charter school, Inc. to discover, develop and strengthen the skills of each student and to encourage and challenge each student to exercise those skills in meaningful work and meaningful family life. The TolChii' Koh Charter School, Inc. will nurture their students to develop in a multiculture setting with emphasis on Navajo Culture and intellectual, social, physical and emotional development within the context of the Navajo culture, so that in adulthood they will be empowered to be self-sufficient and self-reliant members of society."

SECTION 3:

APPLICATION PROCEDURES AND MATERIALS

SECTION 3:

APPLICATION PROCEDURES AND MATERIALS

Eligible Applicants

The sponsor of a Charter School may contract with a public body, private person or private organization for the purpose of establishing a Charter School. The State Board of Education and the State Board for Charter Schools are each authorized to sponsor up to 25, for a total of 50 schools, per fiscal year.

As the sponsoring agents for Charter Schools, the State Board of Education and the State Board for Charter Schools are committed to ensuring that all applicants have a fair and equal opportunity to submit a charter application which will meet their standards for approval. To meet this commitment, application procedures and requirements have been developed and approved by both Boards.

Application Process Calendar

The Charter School Application Process Calendar on **page 3-4** of this section is based on the fiscal year July 1, 1995 to June 30, 1996. It provides an overview of the application cycles and important deadlines which must be met.

Application process workshops, for interested parties, are scheduled at convenient locations around the state. Potential applicants may call the Charter Schools Office to be placed on a list to receive specific dates, times, and locations of these workshops.

Application Process Cycles

An applicant can only apply to one board. However, this does not preclude the applicant from applying to the local school district board at the same time.

The first cycle of the application process begins with a Statement of Intent application. An affidavit and fingerprint card with check for $32.00 processing fee must be submitted with the Statement of Intent application. Based on a review of the applicants' references and credit history, the Charter Schools Office will advise the applicants if they are eligible to continue with the application process. Applications are reviewed by the Charter Schools staff and Board members using the Charters School Application Review Criteria on **pages 3-5 to 3-15.**

The Charter Boards accept or reject the application. Legislation states that the State Board of Education or the State Board for Charter Schools may approve the application if the application meets the requirements of the article and may approve the charter if the proposed sponsor determines, within its sole discretion, that the applicant is sufficiently qualified to operate a charter school. If not approved, the applicant will be advised, in writing, of the reasons for rejection of the application.

School Goals: Elementary and Secondary Example

In the application narrative, a Charter School must provide a written statement of the goals of the school and their relationship to student achievement. **See Section 6: Supplemental Legislation and Regulations, Goals for Excellence.** The goals are also required for the annual report card and are the basis on which the school assesses its performance. **See Section 6: Supplemental Legislation and Regulations, School Report Cards, .** The goals also make it possible for the sponsor to monitor and audit the school's performance.

Arizona Student Achievement Program

The Arizona Student Achievement Program Plan, on **pages 3-19 to 3-25** in this section, has been developed based on the comments, concerns and expectations of teachers, parents, school administrators and representatives from institutions of higher learning and leaders from business and industry. This packet was sent to all school districts and was released to the press at a news conference on May 25, 1995. It is important for an applicant to thoroughly understand how this plan interfaces with the charter school's curriculum, instruction and assessment requirements. For technical assistance regarding the Arizona Student Achievement Plan, see **Section 9: Important Contacts, The Arizona Student Achievement Program.**

The Arizona Essential Skills must be integrated into the Charter School's comprehensive program of instruction. Each Charter School must design methods to measure pupil progress toward the outcomes adopted by the State Board of Education which include the Arizona Essential Skills. A description of the criteria to be used to document the school's effectiveness in meeting its outcomes for each grade level must be included in the assessment plan. To order and pay for Arizona Essential Skills documents, ASAP Assessments and other ASAP publications, see **Section 11: Resources to be Ordered from Arizona Department of Education, Central Distribution Services and Arizona Correctional Industries, How to Order and Pay for Essential Skills and Other Arizona Student Achievement Program Publications and How to Order and Pay for ASAP Assessments: Grades 3, 8 and 12.**

54

Charter School Budget Revenue Projection Worksheets

The budget worksheets for Fiscal Year 1995-1996 are provided for applicant's use in preparing a budget summary and a detailed financial plan for the first three years of operation, including anticipated revenues and their sources. Budget forms, budget worksheets and instructions for Charter Schools have been prepared by School Finance personnel and the staffs of the Auditor General and Attorney General. See **Section 9: Important Contacts, Budget and Apportionment** for further information on budget and apportionment. To order financial documents, procurement regulations and records management manual, see **Section 12: Resources to be Ordered from Arizona Department of Education, Central Distribution Services and Arizona Correctional Industries.**

Petition for Exemption or Amendment

A Charter School may seek exemption from the requirements of the Uniform System of Financial Records (USFR), Procurement Rules and Audit Requirements. A well-developed rationale justifying the request for exemptions must include assurances for accountability. If an exemption is approved at the time of an application, it will become part of the charter when the Charter School application is approved. However, if the exemption is requested after the Charter Board has approved an application, approval will constitute an amendment to the petitioner's charter.

CHARTER SCHOOLS APPLICATION CALENDAR

APPLICATION PROCESS - FIRST CYCLE

July 21 through August 31, 1995	Charter Schools Application Process Workshop for Interested Parties
September 30, 1995	Statement of Intent Application, Affidavit and Fingerprint Cards with $32.00 Processing Fee due in Charter Schools Office
October 1 through November 15, 1995	Reference and Credit Checks conducted
October 1 through November 15, 1995	Applicants Develop Application including Stimulus Fund Application
October 1 through January 31, 1995	Fingerprint Checks conducted
November 15, 1995	Applications due in the Charter School Office by 5:00 P.M.
November 1 - November 15, 1995	Applications reviewed by Staff for completeness
November 1 - December 31, 1995	Board Members review Applications
January 8, 1996	Board acts on Applications
February 12, 1996	Board grants Charter Status
February 26 and/or March 25, 1996	State Board of Education acts on Stimulus Fund Applications

APPLICATION PROCESS - SECOND CYCLE

March 11, 1996	Board acts on Applications
April 8, 1996	Board grants Charter Status
May 13 and 28, 1996	State Board of Education acts on Stimulus Fund Applications

SUBMISSION OF APPLICATION

By Mail: The application process calendar provides deadlines for receipt of applications. Applications not received by the deadline date will not be considered for funding unless the applicant can show proof that the application was mailed or shipped by the deadline date. The following are acceptable as proof of mailing: (1) a legibly dated U.S. Postal Service Postmark; (2) a legible mail receipt with the date of mailing stamped by the U.S. Mail Service; or (3) a dated shipping label, invoice or receipt from a commercial carrier.

By Hand: Applications delivered by hand before the deadline date will be accepted daily between the hours of 8:00 a.m. and 5:00 p.m., except Saturdays, Sundays or legal holidays, by the Charter Schools Office. Applications will be stamped by Charter Schools staff to verify date and time of receipt.

CHARTER SCHOOL APPLICATION REVIEW CRITERIA

Requirements	Evaluation of Components
1.0 PURPOSE 1.1 Mission Statement (ARS §15-183 (A)) • Provide a written statement of the mission of the school. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: Clearly articulated, short statements that begin with the word "To" and answer the questions - who are we, what do we do, for whom do we do it, why do we do it, and why are public resources devoted to this effort - from the customer's point of view.
1.2 Goals of School [A Charter School must provide learning that will lead to improved student achievement] (ARS § 15-101 (3) and ARS § 15-183 (A)) Goals Y ___ N ___ • Provide a written statement of the goals of the school and their relationship to student achievement. Relationship Y ___ N ___ • Describe the criteria to be used to document the school's effectiveness in meeting its established goals. Criteria Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewer will look for: Clear and measurable goals that provide a framework for more detailed levels of planning, are more specific than the mission statement, but remain general enough to stimulate creativity and innovation; high academic expectations for all students.

2.0 ORGANIZATION 2.1 Population to be Served [A Charter School may limit admission to pupils within a given age group or grade level (ARS §15-184 (C)) and may offer a curriculum with an emphasis on a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts, performance arts or foreign language (ARS §15-183 (E) (3))] • If the student population is to be other than that generally expected in a public school setting, describe any specific student characteristics related to the Charter School's programmatic focus or methodology. — Description Y ____ N ____	Qualitative Rating: 1 2 3 4 5 Comments: Reviewers will look for: An understanding of, and sensitivity for, the students to be served and the community in which the school will be located.
2.2 Number of Students to be Served • State the number of students to be served at each grade level. — Y ____ N ____ • A plan for increasing enrollment capacity over a specific period of time, not to exceed the effective period of the charter, shall be included. — Plan Y ____ N ____ N/A ____	Qualitative Rating: 1 2 3 4 5 Comments: Reviewers will look for: A solid recruiting and marketing plan to attract sufficient students to open a school; effort to publicize the school to a broad audience to foster a diverse student body.

2.3 Grades to be Served [The school must serve at least a kindergarten program or any grade between one and twelve] (ARS §15-183 (E) (3)) K-12 range Y ____ N ____ • Describe enrollment capacity at each grade level. Capacity Y ____ N ____	Qualitative Rating: 1 2 3 4 5 Comments: Reviewers will look for: Enrollment consistent with the mission and goals of the school; appropriateness of facility; and sufficient funding available to open the school.
2.4 Facilities [Include a description of the Charter School's facility and the location of the school] (ARS §15-183 (A)) • Describe the building(s) or portions of buildings (facilities) to be used. Y ____ N ____ • Identify the location of the facilities, if known. Y ____ N ____ • Describe the physical condition of the facilities. Y ____ N ____ • Describe any renovation or repairs to be made to the facilities and a projected time line for completion. Y ____ N ____	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: Demonstrated options for location of school are identified; local zoning and planning officials have reviewed options; progress toward acquiring a school facility.

2.5 Organizational Structure
[The Charter School may contract, sue and be sued (ARS §15-183 (H); accordingly, the applicant is requested to provide the form of business structure which will be utilized, as the structure is relevant to the issue of contract authority and legal liability. The Charter school must provide a governing body that is responsible for the policy and operational decisions of the school (ARS §15-183 (E) (8)); the method of school governance must be specified (ARS §15-183 (F))]

- Describe the form of business (sole proprietorship, corporation, partnership, etc.) to be utilized by the Charter School. Y ____ N ____
- Identify the governing body of the Charter School, which shall be responsible for the policy and operational decisions of the school, and the names of the members of that body.
  Body
  Y ____ N ____
  Names
  Y ____ N ____
- Describe the internal organizational structure of the Charter School, which may be in a flow chart or other graphic format. Y ____ N ____

Qualitative Rating: 1 2 3 4 5

Comments:

Reviewers will look for: A description of the internal form of management to be implemented at the school; consistency with the mission; clearly defined roles and responsibilities of the governing body; its relationship to teachers and administrators; teacher, student and parent input in school decision making; submission of copies of the school's by-laws, contracts and all incorporation documents required by law.

2.6 Parent/Community Involvement

- Describe the process by which parents, teachers and community members will be involved in meaningful decision making at the school and the areas of the school's operation in which they will be involved. Y ____ N ____

Qualitative Rating 1 2 3 4 5

Comments:

Reviewers will look for: Expectations of parents (or guardians) to be active participants in their children's education, student and parent input in school decision-making, and evidence that the proposed school model would be an attractive educational alternative for residents of the target community beyond the small circle of people founding the school.

3.0 OPERATIONS

3.1 School Calendar
[The school must provide at least 175 days of instruction and meet the minimum hours of instruction as required pursuant to ARS §15-901]

- Is the school calendar provided? Y ___ N ___
- Does the calendar provide for at least 175 days of instruction per school year? Y ___ N ___
- Does the calendar provide for the required minutes of instruction per year? Y ___ N ___

Qualitative Rating 1 2 3 4 5

Comments:

Reviewers will look for: A detailed timetable of projected dates and activities for the operation of the school; feasibility of a fall 1996 school opening.

3.2 Admission Procedures
[Admission **may be** limited to students within a given age group or grade level (ARS §15-184 (C); admission **may not be** limited based on ethnicity, national origin, gender, income level, disability, proficiency in the English language, or athletic ability (ARS §15-184 (B))]

- Procedures must, at a minimum, ensure that the school enrolls all students who submit a timely application, unless capacity of program, class, grade level or building is exceeded. (ARS §15-184 (A)) Y ___ N ___
- Describe the equitable selection process to be employed, e.g. a lottery, if capacity is exceeded. (ARS §15-184 (A) Y ___ N ___

Qualitative Rating 1 2 3 4 5

Comments:

Reviewers will look for: Consistency with the mission of the school; non-discriminatory and non-sectarian impact; fosters a diverse student body; seeks to ensure appropriateness of match between the school program and the applicant's unique educational and personal needs.

3.3 Staffing Requirements [The charter must include a description of personnel policies and qualifications] (ARS §15-183 (F)) • Describe the key staffing positions for the school and the minimum qualifications for each. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: A description of the standards to be used in the hiring process, including teacher qualifications or any other professional credentials; the targeted staff size and teacher/student ratio.
3.4 Employment Policies and Procedures [The charter must include a description of personnel policies and qualifications] (ARS §15-183 (F)) • Describe the personnel policies and procedures for the Charter School, including those related to hiring, reassignment and termination. Y ___ N ___ • Provide a statement of assurance that the personnel policies and procedures comply with applicable laws, such as those relating to labor and civil rights. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: High professional standards for teachers and other staff; commitment to professional development of staff; desirable working conditions and fair compensation packages which attract quality staff; compliance with labor laws.
3.5 Insurance [The Charter School must comply with laws related to insurance requirements] ARS §15-183 (E) (1)) • Describe the types of insurance policies to be carried by the Charter School (e.g., liability, vehicle, medical, etc.). Y ___ N ___ • Provide the policy number and the name and address of the insurer for each type of policy prior to the issuance of the charter. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: A description of school's insurance coverage plans, including health, general liability, property and governing body's liability insurance.

3.6 Uniform System of Financial Records (USFR) [The Charter School is subject to the same financial requirements as a school district, including the USFR] (ARS §15-183 (E) (6)) • Describe the procedures to be employed to ensure compliance with the USFR. Y ____ N ____	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: A detailed description of plan for regular review of school budgets and financial records to include any fund-raising efforts to generate capital or to supplement the per pupil allocations, if any.
3.7 Transportation Services [Charter Schools may elect to provide transportation services to all students and receive transportation funding. They **must,** however, provide transportation for low income students and children with disabilities whose Individualized Education Programs require specialized transportation ARS § 15-816.01] (ARS § 15-186 (A)) All students Y ____ N ____ • Describe any transportation services to be provided by the Charter School, including that required for children with disabilities and low income students. Special Y ____ N ____	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: A workable arrangement for transporting students to and from school; arrangements made with local school districts or others, if any; and arrangements made for compliance to accommodate special needs students, other than those determined to need a residential school if any.
3.8 Sponsor Duties and Responsibilities [The charter must include a description of the specific role and duties of the sponsor of the Charter School] (ARS §15-183b (F)) • Describe the duties and responsibilities which the Applicant would like the Sponsor to assume, if any, beyond oversight and ensuring compliance with the charter and applicable laws. Y ____ N ____	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: Technical assistance and resources needed that will improve pupil achievement and additional academic choices for parents and pupils.

4.0 INSTRUCTION AND ASSESSMENT

4.1 Comprehensive Program of Instruction [The Charter School must design a method to measure pupil progress toward the outcomes adopted by the State Board of Education pursuant to ARS §15-741.01] (ARS §15-183)

- Describe the comprehensive program of instruction at each grade level. Y ____ N ____
- Identify the general subject areas and the specific areas within the general subject areas, e.g., Math: algebra, geometry, basic math concepts, etc. Y ____ N ____
- Describe the student outcomes for each grade level. Y ____ N ____

Qualitative Rating 1 2 3 4 5

Comments:

Reviewers will look for: Innovative teaching methods and curriculum approaches including a detailed overview of learning objectives and content in the main subject areas; consistency with mission and student population to be served

4.2 Special Program Emphasis or Methodology [The Charter School may offer a comprehensive program of instruction which provides an emphasis on a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts, performance arts or foreign language] (ARS §15-183 (E) (3)) Y ____ N ____

- If applicable, describe the Charter School's philosophy, methodology or special program emphasis. Y ____ N ____
- Describe any special characteristics or options, which may differ from those generally utilized in public school, such as the availability of "testing out" of courses, provisions for intensive instruction or the awarding of credit at specific intervals Y ____ N ____

Qualitative Rating 1 2 3 4 5

Comments:

Reviewers will look for: Teaching methods that will be used and how these strategies will enhance student learning.

4.3 Special Education [The school must comply with all Federal and State laws relating to the education of children with disabilities in the same manner as a school district] (ARS §15-183 (E) (7)) • Describe how the school will comply with applicable State and Federal laws regarding the identification, evaluation, placement and provision of a free appropriate public education for children with disabilities. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: A description of how the school will comply and accommodate special needs students and bilingual students.
4.4 Assessment Plan [The assessment plan must include participation in the norm-referenced testing as designated by the State Board of Education and the Essential Skills testing] (ARS §15-183 (E) (4) • Describe the Charter School's plan for assessing student progress. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: Commitment to high academic standards for all students which exceed any state performance standards; well-developed assessment instruments and a description of how student development towards the school's stated learning objectives will be measured.
4.5 Annual Report Card [The Charter School must comply with the requirements for the completion and distribution of an annual report card] (ARS §15-183 (E) (4)) • Describe the information to be contained in the Charter School's annual report card, including all information required by ARS §15-746. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: The results-oriented system of internal evaluation including a description of school's system for maintaining school records and completion and distribution of an annual report card as required under public school law.

5.0 BUDGET 5.1 Financial Plan [Include a financial plan for the first three years of operation of the Charter School] (ARS §15-183 A)) • Provide a detailed financial plan for the first three years of operation, including anticipated revenues and their sources and anticipated expenditures (itemized), including repayment terms for any loans obtained for the maintenance and operation or capital expenses of the Charter School. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: A three-year budget covering all projected sources of revenue, both public and private, and planned expenditures which demonstrate sound financial planning and fiscal viability of the school.
5.2 Other Contractual Agreements [Relates to the financial plan and the organizational structure of the Charter School] (ARS §15-283 (A)) • Describe any lease, purchase or lease-purchase agreements for real property, personal property or fixtures which will be effective during the term of the charter. Y ___ N ___ • Describe any agreements with other organizations or persons to provide services for the operation of the Charter School. Y ___ N ___	Qualitative Rating 1 2 3 4 5 Comments: Reviewers will look for: A detailed description of any contractual agreements and how they relate to the financial plan and organizational structure of the school; compliance with federal and state health and safety laws and regulations.

6.0 PETITION FOR EXEMPTIONS

6.1 Petition for Exemption: The Charter Schools Handbook provides information about procedures for seeking exemptions from requirements of the Uniform System of Financial Records (USFR), Procurement Rules and Audit Requirements Y ____ N ____

- Provide a rationale for exemption which contains:
  (1) The specific exemption the applicant is requesting,
  (2) the reasons why the exemption is being requested,
  (3) the duration of the exemption,
  (4) the potential impact on the Charter School if the petition is denied.

Qualitative Rating 1 2 3 4 5

Comments:

Reviewers will look for: A well-developed rationale justifying the request for exemption to include assurances for accountability.

Overall Rating of Application: 1 2 3 4 5

General Comments:

RECOMMENDATION:

________ Full Approval
________ Approve with corrections made prior to issuance of charter
________ Defer application at present
________ Reject application at present

1.2 GOALS OF SCHOOL

Elementary Example

GOAL	MEASUREMENT CRITERIA
Students will make at least one year's academic growth	- 75 percent mastery of Essential Skills on Forms A, B, or C of the Arizona Student Achievement Program (ASAP) - Spring and/or fall testing using Iowa Test of Basic Skills
Students will be responsible to articulate their learning development - using metacognition skills, students will communicate a self-evaluation of their learning growth	- Student interviews - Student conferences - Student written position paper - Video recordings - Collective writings by the student - Reflective and interactive journals kept by student and teachers
Students will develop a social literacy- an understanding of self in relationship with their community	- Student initiated, designed and implemented projects carried to completion - Documentation of process through video recordings, photography, logs, written reports
Students will communicate what they know and experience through their medium of choice	- Student choice of medium- arts, sciences, humanities - Student-developed portfolios

High School Example

GOAL	MEASUREMENT CRITERIA
Each student will be provided with a comprehensive assessment to determine their individual needs and this will be the basis for their academic plan.	All students will be given a comprehensive objective assessment evident in their individual student file.
Emphasis will be placed on basic skills, problem-solving skills, decision-making and life-coping skills, to ensure the academic and intellectual development of the students.	All students will be developing a portfolio of their work which will provide a direct relationship to skills being utilized.
Activated learning technology will be utilized to provide individualized instruction and contextual learning.	All students will be provided with activated learning technology utilizing the Comprehensive Competencies Program and the Job Skills Education program.
Workforce development skills and school-to-work opportunities will be incorporated into the curriculum to promote a smooth transition for students from school into the work environment.	All students will be provided with workforce development skills training and work experience/limited internship positions. Training plans for the acquisition of job skills will be developed and placed in each student's file.
The SCANS skills will be emphasized for students to provide a learning-rich environment for students to understand the relevance of their education to the workforce.	All students will be given SCANS sheets to track the skills utilized throughout their individualized education plan.
A nurturing environment that allows for the personal development of each student will be provided, including, but not limited to: a positive self-image, a sense of self-worth, personal growth and independence.	All students will complete an entrance and exit survey. These surveys will be analyzed to assess differences in student attitudes about themselves from entrance to exit. Results will be documented in an annual report.

High School Example
(Continued)

GOAL	MEASUREMENT CRITERIA
Students will be provided with follow-up activities to ensure success.	All students will be provided with follow-up activities which are designed to provide support and assistance, if needed, following graduation.

Arizona
Department of Education

LISA GRAHAM
Superintendent of
Public Instruction

MEMORANDUM

August 11, 1995

The State Board of Education met in a study session on August 2 to discuss the goals and direction of the Arizona Student Achievement Program (ASAP). The Board is committed to the ASAP and has requested some changes in the work plan and timelines to accelerate the process to bring a renewed program to Arizona's classrooms.

Specific recommendations for moving this program forward will be presented at the Board's next meeting which will be held at Bradshaw Mountain High School in Dewey (near Prescott) on August 28. In the meantime, we want to share some important information with you.

The ASAP plan for July 1, 1995 - June 30, 1996 remains intact with one exception: the alignment of district curriculum with revised mathematics essential skills will not occur this year. It is our expectation that you will continue reviewing and adopting high standards for mathematics and all other content areas. While we are in this period of transition, the following items are to be completed during the current school year:

- Teach state essential skills in the required content areas of reading, writing, and math
- Assess reading and writing according to the District Assessment Plan (DAP) on file at the Arizona Department of Education (ADE)
- Collect essential skills data in reading and writing throughout the year
- Report essential skills data on the Essential Skills Completion Report in reading and writing by June 30, 1996
- In conjunction with the ADE, schools submit information for a school report card to reflect essential skills data in reading and writing and other data required by law which will be distributed by each school to parents of enrolled students
- Administer norm-referenced tests in the fall

We would appreciate you sharing this information with your staff and communities. Brenda Henderson, Director of the Student Achievement and Assessment Division, can assist you with any questions at (602) 542-3824. Thank you.

*The report card format will be distributed to school principals by the middle of August with September 30 as the return date from schools to ADE. Principals will have the option of completing a written survey or providing information to ADE on the new Web Page via the Internet. For further information, please contact Kelly Powell, Manager of Research and Evaluation at (602) 542-5031.

Arizona
Department of Education

August 29, 1995

TO: All Superintendents and Principals

SUBJECT: Arizona Student Achievement Program

Earlier this year we shared with you an outline of our plan to revise the Arizona Student Achievement Program (ASAP). Since that time the State Board of Education and the Arizona Department of Education have worked together to formulate a plan which includes an accelerated delivery of state standards and assessments. The State Board of Education approved that plan at its meeting yesterday in Prescott.

Our plan is built around three guiding principles: Academic Achievement, Expediency and Accountability, and School-driven Change.

The major points of the plan include:
- Development of state standards in nine academic areas, including language arts, mathematics, workplace skills; science, social studies, arts, foreign language, comprehensive health and technology;
- A pilot of a new state assessment in the core areas of reading, writing, mathematics and workplace skills in the Spring of 1996 in grades 4, 8, and 10.
- A statewide assessment of these core areas is projected to be given in the Spring of 1997; and
- School-developed curriculum packages that can be used as models by other schools.

We believe this plan will enable us to develop state standards that set high expectations for our students, and that will enable schools to have greater control over decisions regarding student learning and curriculum development and assessments.

Lisa Graham
State Superintendent of Public Instruction

• 1535 West Jefferson. Phoenix. Arizona 85007 •
602-542-4361

ARIZONA STUDENT ACHIEVEMENT PROGRAM

At the August 2, 1995 study session, the State Board of Education requested the Department to develop specific recommendations for moving the Arizona Student Achievement Program forward.

A proposed plan was designed on three guiding principles: academic achievement, expediency and accountability, and school-driven change.

Academic Achievement

- Develop state standards that set a high expectation for the academic achievement of each student.
- These state standards will include language arts, mathematics, workplace skills, science, social studies, arts, foreign language, comprehensive health and technology.
- The state standards will be clear, concise and easily understood by everyone. Ideally, these standards should be two to three pages.

Expediency and Accountability

- Contract with an experienced consultant to drive the standard-setting process.
- Develop state standards through an Academic Summit process which includes school/community members.
- Pilot a 1996 Spring Semester State Assessment in the four core areas (reading, writing, mathematics and workplace skills) and conduct a statewide assessment in spring 1997. The state assessment is to assure academic achievement in the core areas. Without skills in these core areas, the student cannot acquire specific knowledge in other content areas.

School-Driven Change

- Select three-to-five school-developed curriculum packages as outstanding examples which reflect the state standards. These curriculum packages will be for any of the nine state standards listed under Academic Achievement. A financial award will be given to the selected schools, and the packages may be used as models by other schools.
- A bank of assessments will be validated and maintained by the Department for use by all schools.
- Schools must be responsible and accountable for all content areas.
- State and local test results will be reported on the annual School Report Card.

PROPOSED PLAN FOR ACADEMIC SUMMIT AND RELATED TASKS

1. State Superintendent, with input from the State Board, appoints Standards Design Team - nine members for each of the nine content areas. (September 1995)

2. Consultant has pre-Summit meeting with Department staff, Summit facilitators and Standards Design Team members to receive **explicit** direction and guidance in what the final documents will look like.

3. Standards Design Team reviews various national materials, sample standards from other states and the current Arizona Essential Skills. (Approximately 20 hours)

4. An Academic Summit is held where an additional number of parents and teachers participate in the standard writing process. All testing and scoring companies will be invited to observe the process. (Approximately three days in October)

5. Consultant and Department staff finalize draft standards documents and return them to each member of the Standards Design Team for validation. (Approximately three weeks after Summit)

6. Department staff incorporates comments from Standards Design Team and finalizes state standards documents to share with a larger audience. Public hearings are held. (December 1995)

7. State standards documents are presented to State Board. (January 1996)

LIST OF ACADEMIC ACHIEVEMENT TESTS
NORM-REFERENCED AND CRITERION-REFERENCED

KEY:
G = Group
I = Individual
R = Reading
M = Mathematics
S = Spelling
L = Language
W = Writing

TEST NAME	GRADES	AGE	FORMS	GROUPS/ INDIVIDUAL	SUBJECTS
Norm-Referenced Tests (NRT)					
1. California Achievement Test (CAT)	K-12		E and F	G	
2. Iowa Test of Basic Skills (ITBS)	K-9		G and H	G	
3. Iowa Test of Educational Development (ITED)	9-12			G	
4. Metropolitan Achievement Tests (MAT)	K-12			G	
5. SRA Achievement Series	1-8		Levels A-H	G	
6. Wide-Range Achievement Test (WRAT)		5-Adult		G	R, M, S
7. Stanford Achievement Test (SAT)			Primary, Intermediate, Advanced	G	
8. Test in Achievement of Basic Skills (TABS)			Levels A, K, B, D	G	R, M, L
9. Test of Achievement and Proficiency (TAP)	9-12		Levels 15-18	G	
Criterion Referenced Tests (CRT)					
1. Woodcock Reading and Key Mathematics Mastery Tests (WRMT-R-M)	K-Adult		Levels G-H	I	M, R
2. Illinois Tests in the Teaching of English (ITTE)	9-12		Tests A-D	I	Language Literature
3. Monitoring Basic Skills Progress (Computer-Assisted Assessment)	1-8			I	Composition R, M, S
4. Diagnostic Achievement Battery		6-14	12 Subtests	I	L, S, R, W, M
5. Educational Evaluation Systems, Inc. (EESI)	K-8		Several Booklets	G	R, M, L

BEST COPY AVAILABLE

CHARTER SCHOOL ____________________ COUNTY ____________________ NUMBER ________
CO TY DT

BUDGET WORK SHEETS
FOR FISCAL YEAR 1995-96
TABLE OF CONTENTS

WORK SHEET TITLE PAGE

A. Support Level Weights. 3-24

B. Base Support Level 3-25

C. Transportation Support Level 3-26

D. District Support Level and Revenue Control Limit 3-27

E. Capital Outlay Revenue Limit 3-28

F. Capital Levy Revenue Limit 3-29

G. Equalization Base and Assistance 3-30

Rev.6/95

87

CHARTER SCHOOL ______________________ **COUNTY** ______________ **NUMBER** ________
CO TY DT

A. WORK SHEET FOR FY 1995-96 SUPPORT LEVEL WEIGHTS (A.R.S. §15-943)

The FY 1995-96 Student Counts used to determine the support level weight are obtained from:

For Start-up, Estimated Counts submitted by Charter Schools will be used. After 100th day in session, ADE 1995-96 report "Recalculated State Aid ADM Counts - ADMS 46-1" for the 100th day will be used. (Total K-UE and/or Total 9-US report is used for K-8 and/or 9-12 below.)

SUPPORT LEVEL WEIGHTS TO BE USED FOR:	K-8	9-12
Student Count 0.001-99.999		
Support Level Weight (1)	1.399	1.559
Student Count 100.00-499.999		
Student Count Constant	500.000	500.000
FY 1995-96 Student Count	-	-
Difference	=	=
Weight Adjustment Factor	x 0.0003	x 0.0004
Support Level Weight Increase	=	=
Support Level Weight	+ 1.278	+ 1.398
FY 1995-96 Adjusted Support Level Weight (1)	=	=
Student Count 500.00-599.999		
Student Count Constant	600.000	600.000
FY 1995-96 Student Count	-	-
Difference	=	=
Weight Adjustment Factor	x 0.0012	x 0.0013
Support Level Weight Increase	=	=
Support Level Weight	+ 1.158	+ 1.268
FY 1995-96 Adjusted Support Level Weight (1)	=	=
Student Count 600.00 or More		
Support Level Weight (1)	1.158	1.268

(1) (to Work Sheet B, line I.A.1 and I.A.2)

*CHARTER SCHOOL ______________________ COUNTY ____________ NUMBER ____________
CO TY DT

B. WORKSHEET FOR FY 1995-96 BASE SUPPORT LEVEL (BSL)
(A.R.S. §15-943.2 - .4)

WEIGHTED STUDENT COUNT

	FY 1995-96 Actual Student Count	x Support Level Weight	Weighted Student Count
I. A. K-12 Weighted Student Count (1)			
1. K-8		x ________ (from Work Sheet A)	
2. 9-12		x ________ (from Work Sheet A)	
3. Total K-12 State Aid Student Count (I.A.1 through I.A.2)			
B. Student Count Add-ons (2)			
1. Vocational Education		x 0.071	
2. Hearing Impairment		x 2.353	
3. K-3		x 0.040	
4. LEP (Limited English Proficient)		x 0.060	
5. MD-R, A-R, and SMR-R (3)		x 0.762	
6. MD-SC, A-SC and SMR-SC (4)		x 2.489	
7. Multiple Disabilities Severe Sensory Impairment		x 4.079	
8. Orthopedic Impairment (Resource)		x 0.603	
9. Orthopedic Impairment (Self Contained)		x 2.678	
10. ED, MIMR, SLD, SLI, & OHI (5)		x 0.003	
11. Emotionally Disabled (Private)		x 1.539	
12. Moderate Mental Retardation		x 2.084	
13. Visual Impairment		x 2.928	
14. Total Add-on Count (I.B.1 through I.B.13)			
II Total Weighted Student Count			(I.A.3 + I.B.14 this column)

CALCULATION OF FY 1995-96 BSL

III. Total Weighted Student Count (From II Above)	
IV Base Level Amount	$ 2,462.94
V FY 1995-96 BSL (III X IV) (to Work Sheet D, line I)	$

NOTES:

(1) For Start-up, Estimated Counts submitted by Charter Schools will be used. After 100th day in session, ADE 1995-96 report "Recalculated State Aid ADM Counts - ADMS 46-1" for the 100th day will be used. (Total K-UE and/or Total 9-US report is used for K-8 and/or 9-12 below.)

(2) For Start-up, Estimated Student Counts submitted by Charter Schools will be used. After the 100th day in session, the FY 1995-96 student counts to determine the Add -On weighted counts should be obtained from the following ADE reports:

Add-On Category	ADE Report Name
Vocational Education	Summary Notification of Vocational Education Allocations
K-3	Recalculated State Aid ADM Counts (ADMS 46-1)
LEP	Limited English Proficient (LEP) Students Served in Programs Under A.R.S. §15-754 (LEPS 10-1)
Children with Disabilities	Student Counts for Use in Budget Preparation (SPED 28)

(3) MD - R (Multiple Disabilities - Resource), A - R (Autism - Resource) and SMR - R (Severe Mental Retardation - Resource)

(4) MD - SC (Multiple Disabilities - Self-contained), A - SC (Autism - Self-contained) and SMR - SC (Severe Mental Retardation - Self-contained)

(5) ED (Emotional Disabilities), MIMR (Mild Mental Retardation), SLD (Specific Learning Disability), SLI (Speech/Language Impairment) and OHI (Other Health Impairments)

CHARTER SCHOOL ____________ COUNTY ____________ NUMBER ____________
CO TY DT

C. WORK SHEET FOR FY 1995-96 TRANSPORTATION SUPPORT LEVEL (TSL) (A.R.S. §15-945)

TABLE I

Approved Daily Route Miles per Eligible Student Transported	FY 1995-96 State Support Level per Route Mile
I. 0.500 or Less	$1.95
II. 0.501 - 1.000	$1.59
III. 1.001 or More	$1.95

TABLE II FACTORS

	Charter School with:		
Approved Daily Route Miles per Eligible Students Transported	Grades K-12	Grades K-8	Grades 9-12
I. 0.001 - 1.000	0.15	0.10	0.25
II. 1.001 or More	0.18	0.12	0.30

CALCULATION FOR TSL

I. Approved Daily Route Miles per Eligible Student Transported
  A. Approved Daily Route Miles (1) ____________
  B. Number of Eligible Students Transported for same FY used in I.A (1) ____________
  C. Approved Daily Route Miles per Eligible Students Transported (I.A ÷ I.B) ____________
II. To and From School Support Level
  A. Annual Route Miles = (I.A X 175) ____________
  B. State Support Level per Route Mile (use Table I based on I.C above) ____________
  C. FY 1995-96 Estimated Expenditure for Bus Tokens and Passes (2) ____________
  D. Total To and From School Support Level ((II.A X II.B) + II.C) $____________
III. Academic, Vocational and Technological Education, Athletic Trips Support Level
  A. Factor from Table II Based on I.C Above and School Type ____________
  B. Academic, Vocational and Technological Education, and Athletic Trips Support Level (II.D X III.A) ____________
IV Handicapped Extended School Year Support Level
  A. Estimated Route Miles to be traveled in July and August of 1995 to Transport Handicapped Students for Extended School Year (3) ____________
  B. Estimated Route Miles to be Traveled in June of 1996 to Transport Handicapped Students for Extended School Year (3) ____________
  C. Total Extended School Year Route Miles (IV.A + IV.B) ____________
  D. State Support Level Per Mile (from line II.B above) ____________
  E. Handicapped Extended School Year Support Level (IV.C X IV.D) ____________
V FY 1995-96 Transportation Support Level (II.D + III.B + IV.E) (to Work Sheet D, line II) $____________

NOTES:

(1) Total Approved Transportation Route Miles and Eligible Students are obtained from ADE Report TRAN 55-1. **Base beginning amounts on estimates as reported on the Charter School Business Office and School Information report.**

(2) Expenditure amounts for Bus Tokens and Passes are obtained from ADE Report TRAN 55-1. **Base beginning amounts on estimates as reported on the Charter School Business Office and School Information report.**

(3) The Handicapped Extended School Year Route Miles are obtained from ADE report TRAN 55-1. **Base beginning amounts on estimates as reported on the Charter School Business Office and School Information report.**

CHARTER SCHOOL ______________________ COUNTY ______________________ NUMBER______________
CO TY DT

D. WORK SHEET FOR FY 1995-96 DISTRICT SUPPORT LEVEL (DSL) / REVENUE CONTROL LIMIT (RCL)
(A.R.S. §15-947)

CALCULATION OF THE DSL/RCL

I.	FY 1995-96 Base Support Level (from Work Sheet B, line V)	$______________
II.	FY 1995-96 Transportation Support Level (from Work Sheet C, line V)	$______________
III.	FY 1995-96 District Support Level/Revenue Control Limit (sum of I and II) (to Budget, page 5, line 1.a)	$______________

91

CHARTER SCHOOL ______________________ COUNTY ________________ NUMBER ____________
CO TY DT

E. WORK SHEET FOR FY 1995-96 CAPITAL OUTLAY REVENUE LIMIT (CORL) (A.R.S. §15-961.B - D)

TABLE TO CALCULATE CORL PER STUDENT COUNT (1)

	K-8	9-12
I. FY 1995-96 Actual Student Count: .001 - 99.999 CORL per Student Count	$ 272.75	$ 329.41
II. FY 1995-96 Actual Student Count: 100.000 - 499.999		
A. Student Count Constant	500.000	500.000
B. Actual Student Count	-	-
C. Difference	=	=
D. Weight Adjustment Factor	x 0.0003	x 0.0004
E. Support Level Weight Increase	=	=
F. Support Level Weight	+ 1.278	+ 1.398
G. Adjusted Support Level Weight	=	=
H. Support Level Amount	x $ 194.95	x $ 211.29
I. CORL per Student Count	= $	= $
III. FY 1995-96 Actual Student Count: 500.000 - 599.999		
A. Student Count Constant	600.000	600.000
B. Actual Student Count	-	-
C. Difference	=	=
D. Weight Adjustment Factor	x 0.0012	x 0.0013
E. Support Level Weight Increase	=	=
F. Support Level Weight	+ 1.158	+ 1.268
G. Adjusted Support Level Weight	=	=
H. Support Level Amount	x $ 194.95	x $ 211.29
I. CORL per Student Count	= $	= $
IV. FY 1995-96 Actual Student Count: 600.000 or More CORL per Student Count	$ 225.76	$ 267.94

CALCULATIONS FOR CORL

	K-8	9-12
V. Capital Outlay Base		
A. FY 1995-96 Actual Student Count (1)		
B. CORL per Student Count (from Table above)	x $	x $
C. Capital Outlay Base	= $	= $
VI. Capital Outlay Growth Factor		
A. FY 1995-96 Actual Student Count (1)		
B. FY 1994-95 Actual Student Count	÷	
C. FY 1995-96 Capital Outlay Growth Factor	=	
VII. Capital Outlay Revenue Limit		
A. Capital Outlay Base (from line V.C)		
B. Capital Outlay Growth Factor (if growth factor is less than 1.05, use 1.0) (from line VI.C)	x	x
C. FY 1995-96 CORL (For FY 1995-96, enter amounts from line V.C)	= $	= $
D. CORL for High School Textbooks		
1. FY 1995-96 Actual 9-12 Student Count (1)		
2. Support Level Amount for Textbooks		x $ 69.68
3. CORL for Textbooks		= $
E. Total FY 1995-96 9-12 CORL [9-12(VII.C) + VII.D.3] (to Work Sheet G, line III.A.1)		= $
F. Total FY 1995-96 K-8 CORL (VII.C) (to Work Sheet G, line III.A.1)		+ $
G. Total FY 1995-96 CORL (VII.E+ VII.F) (to Budget, page 5, line 2)		= $

NOTES:
(1) The FY 1995-96 actual student count from Work Sheet B, line I.A.1 (K-8) and I.A.2 (9-12).
Base beginning amounts on estimates.

CHARTER SCHOOL ______________________ **COUNTY** ________________ **NUMBER** ______________
CO TY DT

F. WORK SHEET FOR FY 1995-96 CAPITAL LEVY REVENUE LIMIT (CLRL) (A.R.S. §15-962.B and .C)

TABLE TO CALCULATE CLRL PER STUDENT COUNT (1)

	K-8	9-12
I. FY 1995-96 Actual Student Count: 0.001 - 99.999 FY 1995-96 CLRL per Student Count	$ 211.92	$ 211.92
II. FY 1995-96 Actual Student Count: 100.000 - 499.999		
A. Student Count Constant	500.000	500.000
B. FY 1995-96 Actual Student Count	-	-
C. Difference	=	=
D. Weight Adjustment Factor	x 0.0003	x 0.0003
E. Support Level Weight Increase	=	=
F. Support Level Weight	+ 1.278	+ 1.278
G. Adjusted Support Level Weight	=	=
H. Support Level Amount	x $ 151.47	x $ 151.47
I. FY 1995-96 CLRL per Student Count	= $	= $
III. FY 1995-96 Actual Student Count: 500.00 - 599.999		
A. Student Count Constant	600.000	600.000
B. FY 1995-96 Actual Student Count	-	-
C. Difference	=	=
D. Weight Adjustment Factor	x 0.0012	x 0.0012
E. Support Level Weight Increase	=	=
F. Support Level Weight	+ 1.158	+ 1.158
G. Adjusted Support Level Weight	=	=
H Support Level Amount	x $ 151.47	x $ 151.47
I. FY 1995-96 CLRL per Student Count	= $	= $
IV FY 1995-96 Actual Student Count: 600.00 or More FY 1995-96 CLRL per Student Count	$ 175.41	$ 175.41

CALCULATIONS FOR CLRL

	K-8	9-12
V FY 1995-96 CLRL		
A. FY 1995-96 Actual Student Count (1)		
B. FY 1995-96 CLRL per Student Count (from Table)	x $	x $
C. FY 1995-96 CLRL	= $	= $

D. Total FY 1995-96 Charter School CLRL [V.C (K-8) + V.C (9-12)]
(to Budget, page 6, line A) $ ______________

NOTES.
(1) The FY 1995-96 actual student count from Work Sheet B, line I.A.1 (K-8) and I.A.2 (9-12). **Base beginning student counts on estimates.**

CHARTER SCHOOL ____________ COUNTY ____________ NUMBER ____________
CO TY DT

G. WORK SHEET FOR EQUALIZATION BASE AND ASSISTANCE (A.R.S. §15-971)

		K-8		9-12
I.	A. Total FY 1995-96 K-8 and 9-12 Weighted State Aid Student Count	(from Work Sheet B, line I.A.1)		(from Work Sheet B, line I.A.2)
	B. Total FY 1995-96 Weighted State Aid Student Count (from Work Sheet B, line I.A.3)			
	C. K-8 and 9-12 Factors (line I.A ÷ line I.B) (round to 4 decimal places)			
II.	A. District Support Level/Revenue Control Limit (DSL/RCL) (from Work Sheet D, line III)		$	
	B. DSL/RCL K-8 and 9-12 Allocation (line I.C x line II.A)			
III.	A. For ALL Charter Schools			
	1. FY 1995-96 Capital Outlay Revenue Limit	(from Work Sheet E, line VII.F)		(from Work Sheet E, line VII.E)
	2. FY 1995-96 Capital Levy Revenue Limit	(from Work Sheet F, line V.C K-8 Col.)		(from Work Sheet F, line V.C 9-12 Col.)
	3. Total FY 1995-96 Equalization Base/Assistance (II.B + III.A.1 + III.A.2)	$		$

SAMPLE

CHARTER SCHOOL ______________________ **COUNTY** ______________ **NUMBER** ________
CO TY DT

A. WORK SHEET FOR FY 1995-96 SUPPORT LEVEL WEIGHTS (A.R.S. §15-943)

The FY 1995-96 Student Counts used to determine the support level weight are obtained from:

For Start-up, Estimated Counts submitted by Charter Schools will be used. After 100th day in session, ADE 1995-96 report "Recalculated State Aid ADM Counts - ADMS 46-1" for the 100th day will be used. (Total K-UE and/or Total 9-US report is used for K-8 and/or 9-12 below.)

SUPPORT LEVEL WEIGHTS TO BE USED FOR:	K-8	9-12
Student Count 0.001-99.999		
Support Level Weight (1)	1.399	1.559
Student Count 100.00-499.999		
Student Count Constant	500.000	500.000
FY 1995-96 Student Count	- 160	-
Difference	= 340	=
Weight Adjustment Factor	x 0.0003	x 0.0004
Support Level Weight Increase	= .102	=
Support Level Weight	+ 1.278	+ 1.398
FY 1995-96 Adjusted Support Level Weight (1)	= 1.380	=
Student Count 500.00-599.999		
Student Count Constant	600.000	600.000
FY 1995-96 Student Count	-	-
Difference	=	=
Weight Adjustment Factor	x 0.0012	x 0.0013
Support Level Weight Increase	=	=
Support Level Weight	+ 1.158	+ 1.268
FY 1995-96 Adjusted Support Level Weight (1)	=	=
Student Count 600.00 or More		
Support Level Weight (1)	1.158	1.268

(1) (to Work Sheet B, line I.A.1 and I.A.2)

Rev.6/95

CHARTER SCHOOL ______________________ COUNTY ____________ NUMBER ____________
CO TY DT

B. WORKSHEET FOR FY 1995-96 BASE SUPPORT LEVEL (BSL)
(A.R.S. §§15-943.2 - .4 and 15-944.E)

WEIGHTED STUDENT COUNT

	FY 1995-96 Actual Student Count	x Support Level Weight	Weighted Student Count
I. A. K-12 Weighted Student Count (1)			
1. K-8	160	x 1.380 (from Work Sheet A)	220.800
2. 9-12	40	x 1.559 (from Work Sheet A)	62.360
3. Total K-12 State Aid Student Count (I.A.1 through I.A.2)	200		283.160
B. Student Count Add-ons (2)			
1. Vocational Education		x 0.071	
2. Hearing Impairment		x 2.353	
3. K-3	125	x 0.040	5.000
4. LEP (Limited English Proficient)	155	x 0.060	9.300
5. MD-R, A-R, and SMR-R (3)		x 0.762	
6. MD-SC, A-SC and SMR-SC (4)		x 2.489	
7. Multiple Disabilities Severe Sensory Impairment		x 4.079	
8. Orthopedic Impairment (Resource)		x 0.603	
9. Orthopedic Impairment (Self Contained)		x 2.678	
10. ED, MIMR, SLD, SLI, & OHI (5)	15	x 0.003	.045
11. Emotionally Disabled (Private)		x 1.539	
12. Moderate Mental Retardation		x 2.084	
13. Visual Impairment		x 2.928	
14. Total Add-on Count (I.B.1 through I.B.13)			14.3[illegible]
II. Total Weighted Student Count			297.3[illegible] (I.A.3 + I.B.14, this column)

CALCULATION OF FY 1995-96 BSL

III. Total Weighted Student Count (From II Above)	297.305
IV. Base Level Amount	$ 2,462.94
V. FY 1995-96 BSL (III X IV) (to Work Sheet D, line I)	$ 732,236.96

NOTES:

(1) For Start-up, Estimated Counts submitted by Charter Schools will be used. After 100th day in session, ADE 1995-96 report "Recalculated State Aid ADM Counts - ADMS 46-1" for the 100th day will be used. (Total K-UE and/or Total 9-US report is used for K-8 and/or 9-12 below.)

(2) For Start-up, Estimated Student Counts submitted by Charter Schools will be used. After the 100th day in session, the FY 1995-96 student counts to determine the Add -On weighted counts should be obtained from the following ADE reports:

Add-On Category	ADE Report Name
Vocational Education	Summary Notification of Vocational Education Allocations
K-3	Recalculated State Aid ADM Counts (ADMS 46-1)
LEP	Limited English Proficient (LEP) Students Served in Programs Under A.R.S. §15-754 (LEPS 10-1)
Children with Disabilities	Student Counts for Use in Budget Preparation (SPED 28)

(3) MD - R (Multiple Disabilities - Resource), A - R (Autism - Resource) and SMR - R (Severe Mental Retardation - Resource)

(4) MD - SC (Multiple Disabilities - Self-contained), A - SC (Autism - Self-contained) and SMR - SC (Severe Mental Retardation - Self-contained)

(5) ED (Emotional Disabilities), MIMR (Mild Mental Retardation), SLD (Specific Learning Disability), SLI (Speech/Language Impairment) and OHI (Other Health Impairments)

BEST COPY AVAILABLE

CHARTER SCHOOL ____________ **COUNTY** ____________ **NUMBER** ____________
CO TY DT

C. WORK SHEET FOR FY 1995-96 TRANSPORTATION SUPPORT LEVEL (TSL) (A.R.S. §15-945)

TABLE I

Approved Daily Route Miles per Eligible Student Transported	FY 1995-96 State Support Level per Route Mile
I. 0.500 or Less	$1.95
II. 0.501 - 1.000	$1.59
III. 1.001 or More	$1.95

TABLE II FACTORS

	Charter School with:		
Approved Daily Route Miles per Eligible Students Transported	Grades K-12	Grades K-8	Grades 9-12
I. 0.001 - 1.000	0.15	0.10	0.25
II. 1.001 or More	0.18	0.12	0.30

CALCULATION FOR TSL

I. Approved Daily Route Miles per Eligible Student Transported	
A. Approved Daily Route Miles (1)	210
B. Number of Eligible Students Transported for same FY used in I.A	130
C. Approved Daily Route Miles per Eligible Students Transported (I.A ÷ I.B)	1.615
II. To and From School Support Level	
A. Annual Route Miles = (I.A X 175)	36,750
B. State Support Level per Route Mile (use Table I based on I.C above)	1.95
C. FY 1995-96 Estimated Expenditure for Bus Tokens and Passes (2)	
D. Total To and From School Support Level ((II.A X II.B) + II.C)	$ 71,662.50
III. Academic, Vocational and Technological Education, Athletic Trips Support Level	
A. Factor from Table II Based on I.C Above and District Type	.18
B. Academic, Vocational and Technological Education, and Athletic Trips Support Level (II.D X III.A)	12,899.25
IV. Handicapped Extended School Year Support Level	
A. Estimated Route Miles to be traveled in July and August of 1995 to Transport Handicapped Students for Extended School Year (3)	
B. Estimated Route Miles to beTraveled in June of 1996 to Transport Handicapped Students for Extended School Year (3)	
C. Total Extended School Year Route Miles (IV.A + IV.B)	
D. State Support Level Per Mile (from line II.B above)	
E. Handicapped Extended School Year Support Level (IV.C X IV.D)	
V. FY 1995-96 Transportation Support Level (II.D + III.B + IV.E) (to Work Sheet D, line II)	$ 84,561.75

NOTES:

(1) Total Approved Transportation Route Miles and Eligible Students are obtained from ADE Report TRAN 55-1. Base beginning amounts on estimates as reported on the Charter School Business Office and School Information report.

(2) Expenditure amounts for Bus Tokens and Passes are obtained from ADE Report TRAN 55-1. Base beginning amounts on estimates as reported on the Charter School Business Office and School Information report.

(3) The Handicapped Extended School Year Route Miles are obtained from ADE report TRAN 55-1. Base beginning amounts on estimates as reported on the Charter School Business Office and School Information report.

BEST COPY AVAILABLE

CHARTER SCHOOL ____________ **COUNTY** ____________ **NUMBER** ____________
CO TY DT

D. WORK SHEET FOR FY 1995-96 DISTRICT SUPPORT LEVEL (DSL) / REVENUE CONTROL LIMIT (RCL) (A.R.S. §15-947)

CALCULATION OF THE DSL/RCL

I. FY 1995-96 Base Support Level (from Work Sheet B, line V).	$ 732,736.96
II. FY 1995-96 Transportation Support Level (from Work Sheet C, line V)	$ 84,561.75
III. FY 1995-96 District Support Level/Revenue Control Limit (sum of I and II) (to Budget, page 5, line 1.a)	$ 817,298.71

CHARTER SCHOOL ______________________ COUNTY ________________ NUMBER ______ CO TY DT

E. WORK SHEET FOR FY 1995-96 CAPITAL OUTLAY REVENUE LIMIT (CORL) (A.R.S. §15-961.B - D)

TABLE TO CALCULATE CORL PER STUDENT COUNT (1)

	K-8	9-12
I. FY 1995-96 Actual Student Count: .001 - 99.999 CORL per Student Count	$ 272.75	$ 329.41
II. FY 1995-96 Actual Student Count: 100.000 - 499.999		
A. Student Count Constant	500.000	500.000
B. Actual Student Count	- 160	-
C. Difference	= 340	=
D. Weight Adjustment Factor	x 0.0003	x 0.0004
E. Support Level Weight Increase	= .102	=
F. Support Level Weight	+ 1.278	+ 1.299
G. Adjusted Support Level Weight	= 1.380	=
H. Support Level Amount	x $ 194.95	x $ 211.29
I. CORL per Student Count	= $ 269.03	= $
III. FY 1995-96 Actual Student Count: 500.000 - 599.999		
A. Student Count Constant	600.000	600.000
B. Actual Student Count	-	-
C. Difference	=	=
D. Weight Adjustment Factor	x 0.0012	x 0.0013
E. Support Level Weight Increase	=	=
F. Support Level Weight	+ 1.158	+ 1.268
G. Adjusted Support Level Weight	=	=
H. Support Level Amount	x $ 194.95	x $ 211.29
I. CORL per Student Count	= $	= $
IV. FY 1995-96 Actual Student Count: 600.000 or More CORL per Student Count	$ 225.76	$ 267.94

CALCULATIONS FOR CORL

	K-8	9-12
V. Capital Outlay Base		
A. FY 1995-96 Actual Student Count (1)	160	40
B. CORL per Student Count (from Table above)	x $ 269.03	x $ 329.41
C. Capital Outlay Base	= $43,044.80	= $13,176.40
VI. Capital Outlay Growth Factor		
A. FY 1995-96 Actual Student Count (1)		
B. FY 1994-95 Actual Student Count	÷	
C. FY 1995-96 Capital Outlay Growth Factor	=	
VII. Capital Outlay Revenue Limit		
A. Capital Outlay Base (from line V.C)		
B. Capital Outlay Growth Factor (If growth factor is less than 1.05, use 1.0) (from line VI.C)	x	x
C. FY 1995-96 CORL (For FY 1995-96, enter amounts from line V.C)	= $43,044.80	= $13,176.40
D. CORL for High School Textbooks		
1. FY 1995-96 Actual 9-12 Student Count (1)		40
2. Support Level Amount for Textbooks		x $ 69.93
3. CORL for Textbooks		= $ 2,797.20
E. Total FY 1995-96 9-12 CORL [9-12(VII.C)+VII.D.3] (to Work Sheet G, line III.A.1)		= $ 15,963.60
F. Total FY 1995-96 K-8 CORL (VII.C) (to Work Sheet G, line III.A.1)		+ $ 43,044.80
G. Total FY 1995-96 CORL (VII.E+ VII.F) (to Budget, page 5. line 2)		= $ 59,008.40

NOTES:
(1) The FY 1995-96 actual student count from Work Sheet B, line I.A.1 (K-8) and I.A.2 (9-12).
Base beginning amounts on estimates.

BEST COPY AVAILABLE

CHARTER SCHOOL ______________________ COUNTY __________________ NUMBER ________
CO TY DT

F. WORK SHEET FOR FY 1995-96 CAPITAL LEVY REVENUE LIMIT (CLRL) (A.R.S. §15-962.B and .C)

TABLE TO CALCULATE CLRL PER STUDENT COUNT (1)

	K-8	9-12
I. FY 1995-96 Actual Student Count: 0.001 - 99.999 FY 1995-96 CLRL per Student Count	$ 211.92	$ 211.92
II. FY 1995-96 Actual Student Count: 100.000 - 499.999		
A. Student Count Constant	500.000	500.000
B. FY 1995-96 Actual Student Count	- 160	-
C. Difference	= 340	=
D. Weight Adjustment Factor	x 0.0003	x 0.0003
E. Support Level Weight Increase	= .102	=
F. Support Level Weight	+ 1.278	+ 1.278
G. Adjusted Support Level Weight	= 1.380	=
H. Support Level Amount	x $ 151.47	x $ 151.47
I. FY 1995-96 CLRL per Student Count	= $ 209.03	= $
III. FY 1995-96 Actual Student Count: 500.00 - 599.999		
A. Student Count Constant	600.000	600.000
B. FY 1995-96 Actual Student Count	-	-
C. Difference	=	=
D. Weight Adjustment Factor	x 0.0012	x 0.0012
E. Support Level Weight Increase	=	=
F. Support Level Weight	+ 1.158	+ 1.158
G. Adjusted Support Level Weight	=	=
H. Support Level Amount	x $ 151.47	x $ 151.47
I. FY 1995-96 CLRL per Student Count	= $	= $
IV. FY 1995-96 Actual Student Count: 600.00 or More FY 1995-96 CLRL per Student Count	$ 175.41	$ 175.41

CALCULATIONS FOR CLRL

	K-8	9-12
V. FY 1995-96 CLRL		
A. FY 1995-96 Actual Student Count (1)	160	40
B. FY 1995-96 CLRL per Student Count (from Table)	x $ 209.03	x $ 211.92
C. FY 1995-96 CLRL	= $ 33,444.80	= $ 8,476.80
D. Total FY 1995-96 Charter School CLRL [V.C (K-8) + V.C (9-12)] (to Budget, page 8, line A)	$ 41,921.60	

NOTES:
(1) The FY 1995-96 actual student count from Work Sheet B, line I.A.1 (K-8) and I.A.2 (9-12). Base beginning student counts on estimates.

100

BEST COPY AVAILABLE

CHARTER SCHOOL ____________ **COUNTY** ________ **NUMBER** ________ **CO TY DT**

G. WORK SHEET FOR EQUALIZATION BASE AND ASSISTANCE (A.R.S. §15-971)

	K-8		9-12
I. A. Total FY 1995-96 K-8 and 9-12 Weighted State Aid Student Count	220.800 (from Work Sheet B, line I.A.1)		62.360 (from Work Sheet B, line I.A.2)
B. Total FY 1995-96 Weighted State Aid Student Count (from Work Sheet B, line I.A.3)		283.160	
C. K-8 and 9-12 Factors (line I.A ÷ line I.B) (round to 4 decimal places)	.7798		.2202
II. A. District Support Level/Revenue Control Limit (DSL/RCL) (from Work Sheet D, line III)		$817,298.71	
B. DSL/RCL K-8 and 9-12 Allocation (line I.C x line II.A)	637,329.53		179,969.18
III. A. For ALL Charter Schools			
1. FY 1995-96 Capital Outlay Revenue Limit	43,044.80 (from Work Sheet E, line VII.F)		15,963.60 (from Work Sheet E, line VII.E)
2. FY 1995-96 Capital Levy Revenue Limit	33,444.80 (from Work Sheet F, line V.C K-8 Col.)		8,476.80 (from Work Sheet F, line V.C 9-12 Col.)
3. Total FY 1995-96 Equalization Base/Assistance (II.B + III.A.1 + III.A.2)	$ 713,819.13		$ 204,409.58

CHARTER SCHOOLS

PETITION FOR EXEMPTION OR AMENDMENT

I. Petition for Exemption.

A.R.S. § 15-183 (E) (6) requires Charter Schools to comply with laws and regulations regarding the Uniform System of Financial Records (USFR), Title 15, Chapter 2, Article 4, Arizona Revised Statutes; Procurement Rules, A.R.S. § 15-213 and SBE Administrative Rules, Article 10; and Audit Requirements, A.R.S. § 15-271 and A.R.S. § 15-272. However, it also allows a charter to include exemptions that are determined by a sponsor to be necessary.

The Charter Board will accept applications for exemption either at the time a Charter School applicant submits its formal application to the Board, or at any time after an application has been approved by the Board. The following procedures apply:

A. The Charter School or Charter School applicant submits a petition for exemption which contains the following information:

   1. The specific provision(s) for which the applicant is seeking exemption.

   2. The reasons why the exemption is being requested.

   3. A statement as to the length of time for which the exemption is sought.

   4. The potential impact on the Charter School if the petition is denied.

B. Department of Education staff, in consultation with appropriate subject-area specialists, may conduct an initial review and provide an analysis of the petition as well as make recommendations to the Charter Board.

C. The Charter Board will review the petition and any supportive documentation provided and will notify the petitioner of its decision in writing. The Charter Board may request that the petition and analysis be considered by the Charter Board Charter Schools Subcommittee prior to consideration by the full Board.

D. Approval of an exemption shall have the following effect:

   1. If an exemption is approved at the time of application, it will become part of the charter when the Charter School application is approved.

2. If an exemption is requested after the Charter Board has approved an applicatio approval will constitute an amendment to the Petitioner's charter. The written notice of approval shall contain the specific amendment approved by the Charter Board, and shall be considered incorporated into the school's charter.

II. Petition for Amendment

A.R.S. § 15-183 (G) allows a charter to be amended at the request of the governing body of the Charter School and upon the approval of the sponsor. For Charter Schools which are sponsored by the Charter Board, the following procedures apply:

A. The Charter School or Charter School applicant submits a petition for amendment which contains the following information:

   1. The specific amendment(s) for which the applicant is seeking approval.

   2. The reasons why the amendment is being requested.

   3. The potential impact on the Charter School if the petition is denied.

B. Department of Education staff, in consultation with appropriate subject area specialists, may conduct an initial review and provide an analysis of the petitio as well as make recommendations to the Charter Board.

C. The Charter Board will review the petition and any supportive documentation provided and will notify the petitioner of its decision in writing. The Charter Board may request that the petition and analysis be considered by the Charter Board Charter Schools Subcommittee prior to consideration by the full Board.

D. The written notice of approval shall contain the specific amendment approved by the Charter Board, and shall be considered incorporated into the school's charter.

SECTION 4:

CHARTER SCHOOL CONTRACT

SECTION 4:

CHARTER SCHOOL CONTRACT

The Charter School Contract ensures full disclosure and understanding of the responsibilities of the Boards and each Charter School through the use of a document employing commmon contract elements and language. It is further intended to ensure that Charter Schools are fully accountable and in compliance with pertinent rules and regulations which apply to them.

A summary of **Charter School Contract Term Definitions** included in each section of the Charter School Contract is provided for quick reference.

The list of definitions is included in this Handbook in order to assist the person who is interested in submitting an application for a Charter School. The list is not a component of any charter between either the State Board of Education or the State Board for Charter Schools and a charter school, nor may it be used in any way to interpret such a charter.

Charters are granted to approved charter school applicants subject to the following conditions:

1. Written documentation that the building in which the Charter School is located is approved for use as a school building by the building inspector in the municipality in which the Charter School is located.

2. Written documentation that the premises occupied by the Charter School have been inspected by the fire department of the municipality in which the Charter School is located.

3. Written documentation that the school is in compliance with all other applicable federal and state health and safety laws and regulations, including evidence of compliance with any required insurance coverage.

A Charter School Contract is granted for five years.

Charter School Contract Term Definitions

A. **Introduction** — Identifies the contracting parties and the context in which the Contract is established.

B. **Purpose** — Defines the School's basic purpose and stipulates the inclusion of the complete Charter School Application as part of the Contract; identifies the School's site(s) of operations.

C. **Term** — Defines the initial term of the charter (five years from the first day of operation) and the successive terms (seven years) if the charter is renewed.

D. **Amendments** — Stipulates that amendments or waivers to Contract provisions must be in writing and signed by both parties for specific purposes; stipulates automatic modifications to the Contract in the event of legislative changes.

E. **Management** — Describes the extent and limitation of powers and duties accorded the School as defined by law; stipulates the School must abide by state and federal laws, regulations and rules as stipulated and incorporates them by Attachment.

F. **Authority of the School** — Permits the School to exercise those powers necessary to accomplish its obligations; defines the responsibilities and authority of the Sponsor; permits the School to lease or purchase as necessary.

G. **Indemnification** — To the fullest extent permitted by law, indemnifies and holds harmless the State, the Sponsor and their officers, directors, agents or employees from and against all claims, damages, losses and expenses arising out of or resulting from any action of the School.

H. **Performance Indicators** — Requires the completion and distribution of the Annual Report Card as stipulated in law; lists the elements of the Report Card; requires submission of an annual report detailing the School's accomplishments relative to effectiveness measures as described in the approved Application.

I. **Financial Requirements** — In accordance with the law, stipulates the School is subject to the Uniform System of Financial Records, Procurement Rules and Audit Requirements in the same manner as a school district, with the exception of specific exceptions approved by the Sponsor; stipulates the School is responsible for all costs associated with its operations.

J. **Technical Assistance Teams and Audits** — Permits representatives from the Sponsor, Department of Education and state Auditor General to visit school sites; identifies examples of representatives; describes parameters and purposes for visits.

K. **Compliance With State and Federal Authority** — Stipulates the School must comply with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance as required by law; requires compliance with applicable federal and state laws pertaining to maintenance and disclosure of public and student records.

L. **Length of School Year** — Requires the School to provide instruction for no fewer than the number of days and hours as stated in the Application; minimally, that is the same as required of public schools, 175 days of instruction and minimum hours as stipulated in law for students at specific grades and ages.

M. **Property Ownership** —Stipulates that the School is not authorized to acquire property by eminent domain; stipulates conditions for disposition of property in the event of termination of the Contract or dissolution of the School.

N. **General Authority and Immunity** — In accordance with law, stipulates the School may not charge tuition, levy taxes or issue bonds; also in accordance with law, stipulates the School may contract, sue and be sued.

O. **Non-renewal and Termination of Contract** — 1) Non-renewal: describes steps to be taken in the event the Sponsor chooses not to renew the School's charter; describes authority of the Sponsor in the event the School should cease operations due to non-renewal; 2) Termination: stipulates the Sponsor may unilaterally terminate the Contract and revoke the School's charter at any time should the School violate any provision of the charter or of pertinent laws; describes steps to be taken in the event the Sponsor determines the need to terminate the Contract and revoke the charter; describes authority of the Sponsor for supervising and conducting the termination of the business and affairs of the School in this event.

P. **Employees and Contractors** — Stipulates that the contract is not an employment contract, subcontracting contract or assignment of duties by and between any party or person referred to in the Contract; stipulates that officers, employees, agents and subcontractors of the School are not considered officers, employees or agents of the Sponsor or the State.

Q. **Reporting** — Requires the School to provide all reports required or requested by the Sponsor, the Department of Education or the Auditor General.

R. **Other Sponsorship** — Stipulates the Contract will be terminated and the charter revoked effective 30 days from the date sponsorship by another sponsoring entity is granted, should that occur.

S. **Affidavit, Disclosure and Permission** — Requires the completion of the Affidavit, Disclosure and Permission Granted Form and submission of Fingerprint cards by all persons responsible for fulfilling the School's obligations pursuant to its charter; incorporates the Form as part of the Contract.

T. **Evidence of Other Forms of Funding or Assets** — Requires the School to submit a written inventory of assets to be used in the operation of the School prior to execution of the Contract and incorporates it as part of the Contract; requires the School to annually submit a written description of any gifts, grants, donations, in-kind services, benefits and other assets accumulated during the term of the Contract and incorporates such documents as part of the Contract.

U. **Records** — Requires the School to hold open for inspection at any time all records, reports, documents and files relating to any activity or program provided by the School upon request of representatives of the Sponsor, Department of Education and Auditor General; requires the School to retain these items for five years following termination or expiration of the Contract; requires the School to retain these items until resolution in the event of litigation, audits or claims.

V. **Merger** — Merges the Contract and all Attachments as the Contract.

W. **Notices** — Stipulates that required or permitted notices are in writing and effective upon delivery as noted to identified persons representing the School and Sponsor.

X. **Walver** — Stipulates that assent to any breach of the Contract by the parties does not constitute a waiver of any succeeding or other breach.

Y. **Severability** — Stipulates that if any provision of the Contract is deemed unenforceable or invalid, the remainder of the Contract remains in effect unless terminated by one of the parties in accordance with terms of the Contract.

Z. **Assignment** — Stipulates that the Contract is not assignable, in whole or in part, by either party without the express written consent of the other party.

AA. **Insurance** — Requires the School to obtain sufficient insurance to protect its operations.

BB. **Non-Endorsement** — Stipulates that the school acknowledges that sponsorship does not constitute endorsement of any aspect of the School or its operations nor a guarantee of the success of the School by the Sponsor.

CC. **Health, Safety, Welfare** — Stipulates that the Sponsor has the right to terminate the Contract and revoke the charter of the School if the circumstances so require, when in the sole discretion of the Sponsor, the Sponsor has deemed the health, safety or welfare of the students of the School is endangered by act or omission of the School.

Charter Contract
between
Arizona State Board for Charter Schools
and

This contract ("Contract") dated this________day of___________________, 1995, is entered into by and between the ARIZONA STATE BOARD FOR CHARTER SCHOOLS ("Sponsor") and____________________________________("School"), an Arizona (legal status) as evidenced by Attachment 1, (e.g. Articles of Incorporation or other evidence of legal status) which is fully incorporated herein and made part of the Contract. The Contract, including all Attachments, constitutes the charter for the School pursuant to Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes.

WHEREAS, the parties are authorized under Arizona law to execute a contract authorizing the establishment of a charter school which will provide a learning environment that will improve pupil achievement in accordance with Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes; and

WHEREAS, the School, except as otherwise provided in Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes and in the Contract, is exempt from all Arizona statutes and rules relating to schools, governing boards and school districts;

NOW, THEREFORE, it is agreed:

A. Purpose

The School shall organize and manage a charter school as a public school with public monies in a manner consistent in all respects with and as fully represented in the School's application for charter school and attachments thereto ("Approved Application"). The Approved Application is designated Attachment 2 and is fully incorporated herein and made part of the Contract. The School shall conduct its operations, including the delivery of all instruction, at_________________________________. The School shall fully comply with the provisions of Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes.

In its operation of the charter school, the School shall maintain such status, ownership and management as represented in the Attachment 1 to the contract. Any change in such status, ownership or management shall be memorialized in an amendment to the Contract executed pursuant to paragraph C herein.

B. Term

As prescribed in A.R.S. §15-183, the charter of the School is effective for five years from the first day of operation of the School. The School anticipates that such first day of operation shall be________________. At the conclusion of the first four years of operation, the School may apply for renewal. After expiration of the charter at the end of the five-year period, the charter may be renewed for successive periods of seven years if the School and its Sponsor deem that the School is in compliance with its charter and statutory provisions.

C. Amendments

No amendment or waiver of any provision of the Contract nor consent to any departure by the parties to the Contract will in any event be effective unless the same will be in writing and signed by such parties, and then such waiver or consent will be effective only in the specific instance and for the specific purpose for which given. If the authority under the Contract of either the School or the Sponsor is altered by legislative act, the Contract is automatically modified to conform to such legislative act.

D. Management and Administration

To the extent permitted under A.R.S. §15-183 (E) (5), and except as otherwise provided in Title 15, Chapter 1, Article 8 and the Contract, the School is exempt from all Arizona statutes and rules relating to schools, governing boards and school districts. Pursuant to petition filed with the Sponsor in accordance with A.R.S. §15-183 (E) (6), the School is granted exemption from the following:

******

The School shall have all the powers and duties provided by law to charter schools as defined in Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes, except as otherwise provided herein. The School shall abide by those state and federal laws, regulations and rules as specified in Attachment 3, which is fully incorporated herein and made a part of the Contract.

E. Authority of the School

The School may, subject to the provisions of Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes, exercise those powers provided by law to charter schools reasonably necessary to accomplish its obligations in the charter. Except as required by law, the Sponsor shall have no authority, control, power, and administrative and financial responsibility over the School. The School may lease or purchase space from any government, public, or private organization, as it deems necessary.

F. Indemnification

To the fullest extent permitted by law, the School shall indemnify and hold harmless the State of Arizona, the Sponsor, and their officers, directors, agents or employees from and against all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of or resulting from any action of the School, provided that any such claim, damage, loss or expense (1) is attributable to bodily injury, sickness, disease or death, or to injury or to destruction of tangible property including the loss of use resulting therefrom, and (2) is caused in whole or in part by any negligent act or omission of the School, any contractor of the School, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this paragraph.

G. Performance Indicators and Evaluation

As prescribed in A.R.S. §15-183 (E) (4), the School shall distribute:

1. An annual standardized report card, in a format developed by the Arizona Department of Education, pursuant to Title 15, Chapter 7, Article 3, of the Arizona Revised Statutes that contains at least the following information:

    a. A description of the School's regular, magnet and special instructional programs.
    b. A description of the current academic goals of the School.
    c. A summary of the results achieved by pupils enrolled at the School as measured by essential skills tests and the nationally standardized norm-referenced achievement test as designated by the Arizona State Board of Education.
    d. The attendance rate of pupils enrolled at the School as reflected in the School's average daily membership as defined in A.R.S. §15-901.
    e. The number of incidents that occurred on the School grounds and that required the intervention of local, state or federal law enforcement.
    f. The percentage of pupils who either graduated to the next grade level or graduated from high school.
    g. A description of the social services available at the School site.
    h. The School calendar, including the length of the school day and hours of operations.
    i. The total number of pupils enrolled at the School during the previous school year.

j. The transportation services available.

k. A description of the responsibilities of parents of children enrolled at the School.

l. A description of the responsibilities of the School to the parents of the children enrolled at the School, including dates the report cards are delivered to the home.

m. A description of the composition and duties of the School's school council as prescribed in A.R.S. §15-351 if such a school council exists.

In addition to distributing the report card as prescribed above, the School shall send a copy of the report card to the Arizona Department of Education, which may include the School's report card in an annual report containing a report card from each school in Arizona. Such annual report shall be available for public inspection. The School shall distribute the report card required herein to all parents and guardians of pupils enrolled at the School and shall present a summary of the contents of the report card at an annual public meeting held at the School. The School shall give notice to all parents and guardians at least two weeks before the public meeting that clearly state the purposes, time and place of the meeting.

2. An annual report, in a format developed by the School, detailing its accomplishments pursuant to the School's effectiveness measures as described in its approved application.

H. Admission Requirements

The School shall be open to all students, ages ___ to ___ and in grades ___ to ___. The School shall enroll all eligible pupils as defined in its Approved Application. Pursuant to A.R.S. §15-184 (D), the School shall admit pupils who reside in the attendance area of a school or who reside in a school district that is under a court order of desegregation or that is a party to an agreement with the United States Department of Education Office for Civil Rights directed toward mediating alleged or proven racial discrimination unless notice is received from the resident school that the admission would violate the court order or agreement. If the School admits a pupil after notice is received that the admission would constitute such a violation, the School is not allowed to include in its student count, as determined in accordance with A.R.S. §15-185, the pupils wrongfully admitted. Pursuant to A.R.S. §15-183(E)(7), the School shall comply with all federal and state laws relating to the education of children with disabilities in the same manner as a school district.

I. Financial Requirements

Pursuant to A.R.S. §15-183 (E)(6), the School shall be subject to the same financial requirements as a school district, including the Uniform System of Financial Records, procurement rules and audit requirements, with the exception of those requirements specifically deemed excepted by the Sponsor. The School shall be responsible for all costs associated with its school operations, including the cost of contracting for goods and services.

J. Technical Assistance Teams and Audits

The School shall allow representatives from the Sponsor, Arizona Department of Education and Arizona Auditor General to visit each school site. Representatives may include individuals from the areas of finance, curriculum and evaluation, special education, audit or other areas at the discretion of the Sponsor or the Department of Education. The date, time and frequency of such visits shall be at the discretion of the Sponsor or the Department of Education. The purpose of the visits will be for the representatives to learn about the School, to discuss relevant issues, to provide technical assistance as appropriate, and to conduct financial, program or compliance audits.

K. Compliance With State and Federal Authority

The School shall comply with all federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance as required by A.R.S. § 15-183 (E) (1). The School shall comply with all applicable federal and state laws concerning the maintenance and disclosure of public and student records, including, without limitation, the Family Education Rights and Privacy Act of 1974, 20 U.S.C. § 1232(g).

L. Length of School Year

The School shall provide instruction each year for no less than the number of days and hours as stated in its Approved Application.

M. Property Ownership

The School acknowledges that it does not have the authority to acquire property by eminent domain. Upon termination of the Contract or in the event of subsequent dissolution of the School, all property which the School has leased, purchased, borrowed or contracted for use shall be promptly returned to any entity from which the School has leased or borrowed the property or with whom the School has contracted for use. All property which has been purchased by the School will remain its own, but all property purchased with state monies will be donated to the state. All property personally or individually owned by teachers or staff employed by the School shall be exempt from distribution of

BEST COPY AVAILABLE

property as prescribed herein and shall remain the property of the individual teachers and staff. Such property includes, but is not limited to, albums, curriculum manuals, personal mementos and other materials or apparatus which have been personally financed or personally developed by teachers and staff.

N. General Authority and Immunity

In accordance with A.R.S. §15-185 (E), the School may not charge tuition, levy taxes or issue bonds. As prescribed in A.R.S. §15-183 (H), the School may contract, sue and be sued.

O. Non-Renewal and Termination of Contract

1. Non-Renewal

The Sponsor shall give written notice to the School of its intent not to renew the School's charter at least twelve months before the expiration of such charter. The written notice shall state in reasonable detail the grounds for non-renewal. The School may request, in writing, an informal hearing before the Sponsor within thirty (30) days following receipt of notice of non-renewal of the charter. Failure by the School to make written request for a hearing within the thirty-day period as prescribed herein shall be treated as acquiescence to the non-renewal of the charter. Upon receiving a timely written request for a hearing, the Sponsor shall give reasonable notice to the School of the hearing date. The Sponsor shall then conduct an informal hearing at a mutually agreeable time no later than one hundred twenty (120) days following the School's receipt of notice of non-renewal before final decision not to renew the charter. In the event the School should cease operations due to non-renewal of the charter, the Sponsor may in its discretion supervise and conduct the transition to another sponsor or the termination of the business and affairs of the School. The Sponsor's authority hereunder shall include, but not be limited to, the return and/or disposition of any assets acquired by purchase or donation by the School during the time of its existence.

2. Termination

The Sponsor may unilaterally terminate the Contract and revoke the School's charter at any time if the School has violated any provision of the charter or any provision of

Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes. The Sponsor shall give written notice to the School of its intent to terminate the Contract and revoke the charter. The notice shall state the grounds for the action in reasonable detail and that the School may request, in writing, an informal hearing before the Sponsor within thirty (30) days following receipt of such notice of revocation. Failure by the school to make written request for a hearing within the thirty-day period as prescribed herein shall be treated as acquiescence to termination of the Contract and revocation of the charter. Upon receiving a timely written request for a hearing, the Sponsor shall give reasonable notice to the School of the hearing date. The Sponsor shall then conduct an informal hearing at a mutually agreeable time no later than one hundred twenty (120) days following the School's receipt of notice of termination and revocation before final decision to terminate the Contract and revoke the charter. The Sponsor shall make such final decision within ten (10) days following the conclusion of the hearing. In the event the Sponsor terminates the Contract and revokes the charter, the Sponsor may in its discretion supervise and conduct the termination of the business and affairs of the School. The Sponsor's authority hereunder shall include, but not be limited to, the return and/or disposition of any assets acquired by purchase or donation by the School during the time of its existence.

P. Employees and Contractors

The Contract is not intended to be, nor shall it be interpreted in such manner as, an employment contract, subcontracting contract, or assignment of normal curricular, co-curricular, or extra-curricular duties by and between any party to or any person referred to herein. All officers, employees, agents and subcontractors of the School shall not be considered as officers, employees, or agents of the Sponsor or the State of Arizona.

Q. Reporting

The School shall provide all reports required by law or requested by the Sponsor, the Arizona Department of Education or the Arizona Auditor General. Such reports shall be in a format acceptable to all parties named in this section.

R. Other Sponsorship

Nothing in the Contract is intended to prohibit the School from seeking sponsorship from any other entity empowered by law to sponsor charter schools. The Contract terminates and charter is revoked effective thirty (30) days from the date sponsorship by another sponsoring entity is granted.

S. Affidavit, Disclosure and Permission

The execution of Attachment 4, Affidavit, Disclosure and Permission Granted Form, which is fully incorporated herein and made a part of the Contract, and the submission of Arizona Department of Education Fingerprint Cards by all persons responsible for fulfilling the School's obligations pursuant to its charter and Title 15, Chapter 1, Article 8 of the Arizona Revised Statutes shall be effected by the School prior to the School's execution of the Contract.

T. Evidence of Other Forms of Funding or Assets

Prior to execution of the Contract, the School shall deliver to the Sponsor a detailed written inventory of all assets in the possession of the School which the School intends to utilize in the operation of the School. Such written inventory shall be designated Attachment 5 and fully incorporated herein and made part of the Contract. The School shall, on an annual basis on each anniversary date of the School's execution of the Contract, deliver to the Sponsor a detailed written description of any gifts, grants, donations, in-kind services, benefits and all other assets it has accumulated during the term of the Contract, as well as the source of such gifts, grants, donations, in-kind services, benefits and other assets. Such detailed written description shall be an Attachment which will be fully incorporated herein and made a part of the Contract.

U. Records

The School shall hold open all records, reports, documents and files relating to any activity or program provided by the School for inspection at any time upon request by representatives of the Sponsor, Arizona Department of Education and Arizona Auditor General. The School shall retain such records, reports, documents and files throughout the term of the Contract and for a period of no less than five (5) years following termination or expiration of the Contract. Such obligation shall not be construed to negate or abridge a requirement under any applicable authority, including but not limited to the Uniform System of Financial Records, that the School retain records, reports, documents and files for a period longer than required herein. If, prior to expiration or termination of the Contract, any litigation or audit is begun or a claim is instituted against the School, the School shall retain such records, reports, documents and files until such litigation, audit, findings or claim has been finally resolved.

V. Merger

The Contract, with Attachments, contains all terms, conditions and provisions hereof and the entire understandings and all representations of understandings and discussions are merged herein and superseded and canceled by the Contract.

W. Notices

Any notice required, or permitted, under the Contract shall be in writing and shall be effective upon personal delivery (subject to verification of service or acknowledgment of receipt) or three (3) days after mailing when sent by certified mail, postage prepaid, to the following:

For the School:

____

____

For the Sponsor:

Kathryn A. Kilroy
Executive Director
State Board for Charter Schools
Arizona Department of Education
1535 West Jefferson Street
Phoenix, AZ 85007

X. Waiver

The parties agree that no assent, express or implied, to any breach by either of them to any one or more of the covenants and agreements expressed herein shall be deemed or be taken to constitute a waiver of any succeeding or other breach.

Y. Severability

If any provision of the Contract is determined to be unenforceable or invalid for any reason, the remainder of the Contract shall remain in effect, unless otherwise terminated by one or both of the parties in accordance with the terms contained herein.

Z. Assignment

This Contract is not assignable, in whole or in part, by either party without the express written consent of the other party. Neither party may contract or subcontract its responsibilities or duties under the Contract without the express written consent of the other party.

Executed this__________day of________________________,1995.

The______________________________________Charter School

By____
Governing Authority, The

______________________________________Charter School

By____
Governing Authority, The

______________________________________Charter School

ARIZONA STATE BOARD FOR CHARTER SCHOOLS

By:____
President, Arizona State Board for Charter Schools

SECTION 5:

LEGISLATION ESTABLISHING CHARTER SCHOOLS

SECTION 5:

LEGISLATION ESTABLISHING CHARTER SCHOOLS

A summary of the Key Elements in the Charter School Statute is provided to highlight the extensive statutes pertinent to defining charter schools as public schools. Arizona's Charter School law, passed in 1994, is considered to be one of the strongest in the United States. All Charter Schools are exempt from most state laws and rules. A one million dollar stimulus fund was established to support start-up costs.

This section should be reviewed by potential Charter School applicants for the requirements and information pertinent to applying for sponsorship of a Charter School. Statutes and regulations referenced in this section can be found in **Section 6: Supplemental Legislation and Regulations.**

The State Board of Education is authorized to award grants from the Charter Schools Stimulus Fund, which is available for start-up costs associated with the Charter School or the renovation or remodeling of existing structures. R7-2-316 outlines the application steps for an initial grant from the Charter School Stimulus Fund. The grant may be in any amount up to $100,000 per charter school applicant or charter school. The stimulus fund application is in the Charter School application and is submitted concurrent with the Charter School application. Refer to **Section 3: Application Procedures and Materials, Application Review Process** for application submission and Board approval dates.

Section 5 includes the following:

- A.R.S. §§ 15-181-189: Key Elements in the Charter School Statute
- A.R.S. § 15-101: Definition of Charter School
- A.R.S. §§ 15-181-189: Charter Schools
- Senate Bill 1361: An Act Amending Sections 15-183, 15-185, & 15-187, Arizona Revised Statutes: Relating to Charter Schools
- House Bill 2019: Amending Sections 15-186 and 15-816, Arizona Revised Statutes: Relating to Charter Schools
- R7-2-316 Charter School Stimulus Funds

KEY ELEMENTS IN THE CHARTER SCHOOL STATUTE

Definition of Charter School
(A.R.S. § 15-181)

A Charter School is a public school established by contract with a district Governing Board, the State Board of Education or the State Board for Charter Schools to provide learning that will improve pupil achievement.

Purpose of Charter Schools

- Charter Schools may be established to provide a learning environment that will improve pupil achievement
- Charter Schools provide additional academic choices for parents and pupils
- Charter Schools may consist of new schools or all or any portion of an existing school
- Charter Schools must comply with all provisions of applicable law to receive state funding as prescribed

Sponsors of and Applicants for Charter Schools
(A.R.S. § 15-182)

The Sponsor of a Charter School may be

A School District
The State Board of Education
The State Board for Charter Schools

The Applicant of a Charter School may be

A Public Body
A Private Person
A Private Organization

The Charter
(A.R.S. § 15-183)

The Charter shall

- Include a description of the personnel policies
- Include a description of the personnel qualifications
- Include a method of school governance
- Describe the specific role and duties of the sponsor of the Charter School
- Provide for a Governing Body that is responsible for the policy and operational decisions of the Charter School

Charter School Requirements

A Charter School shall assure

- Compliance with federal, state and local rules, regulations and statutes pertaining to health, safety, civil rights, insurance and education of children with disabilities
- Compliance with the same financial requirements as a school district, including Uniform System of Financial Record, Procurement Rules and Audit Requirement
- That it designs a method to measure pupil progress toward pupil outcomes adopted by the State Board of Education, including participation in the Essential Skills tests, the nationally standardized norm-referenced achievement tests and the completion of an Annual Report Card
- That it is exempt from all statutes and rules pertaining to schools, governing boards and school districts except the aforementioned
- That it is nonsectarian in its programs, admission policies, employment practices and all other operations
- That it provides a comprehensive education program of instruction for at least a kindergarten or any grade(s) between one and twelve, but may emphasize a specific learning philosophy or style or certain subject area

Application for Charter

1. An applicant seeking to establish a Charter School shall submit a written proposal to the proposed sponsor.
2. The sponsor may approve the application if the application meets the requirements of this statute and may approve the charter if the proposed sponsor determines, within its sole discretion, that the applicant is sufficiently qualified to operate a charter school.
3. If the Charter is denied, the applicant will be advised in writing of the reasons for rejection.
4. Revised applications may be submitted.
5. An approved plan to establish a Charter School in effect for five years from the first day of operation.
6. At the conclusion of the first four years of operation, the Charter School may apply for renewal.
7. If the sponsor renews the Charter, it may be renewed for successive periods of seven years.
8. The sponsor may deny the request for renewal if the Charter School has failed to complete the obligations of the contract or comply with the law. The sponsor must give written notice of its intent not to renew at least 12 months prior to the expiration of the Charter.

BEST COPY AVAILABLE

Pupil Admission Requirements
(A.R.S. § 15-184)

- A Charter School shall enroll all eligible pupils who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building.
- If capacity is insufficient to enroll all pupils who submit a timely application, the Charter School shall select pupils through an equitable selection process such as a lottery.
- A Charter School may limit admission to pupils within a given age group or grade level.
- A Charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability.
- A Charter School shall admit pupils who reside in the attendance area of a school or who reside in a school district that is under a court order of desegregation or that is a party to an agreement directed toward remediating racial discrimination unless notice is received from the resident school that the admission would violate the court order or agreement.

Finance
(A.R.S. § 15-185)

- A Charter School sponsored by a school district governing board shall receive per-pupil expenditures equal to at least the average cost per pupil for the district as a whole.
- A Charter School sponsored by the State Board of Education or the State Board for Charter Schools shall, as prescribed in law, calculate a base support level, transportation support level, capital outlay revenue limit and capital levy revenue limit.
- Adjustments for teacher experience index and rapid decline do not apply to Charter Schools.
- A Charter School that is sponsored by the State Board of Education or the State Board for Charter Schools may apply for approval to operate on a year-round schedule.
- The Charter School and the Department of Education shall prescribe procedures for determining average daily attendance and average daily membership.
- Equalization assistance for the Charter School for the budget year shall be determined by adding the amount of the base support level, the transportation support level, capital outlay revenue limit, and capital levy revenue limit for the budget year.

Transportation
(A.R.S. §§ 15-186, 15-816.01 and 15-901.A.9)

The transportation support level for the first year of operation shall be determined using an estimated transportation support level before the beginning of school. After the first one hundred days in session, for the first year of operation, the Charter School shall revise the transportation support level to be equal to the actual transportation support level of the Charter School.

Teachers/Employment Benefits
(A.R.S. § 15-187)

A teacher who is employed by a Charter School and who was previously employed as a teacher at a school district shall not lose any right of certification, retirement or salary status or any other benefit provided by law, by the rules of the governing board of the school district or by the rules of the board of directors of the Charter School.

A teacher who is employed by or teaching at a Charter School immediately before employment by or at a Charter School shall be given employment preference by the school district if the teacher submits an employment application to the school district no later than three years after ceasing employment with the school district and a suitable position is available.

Charter school teachers are eligible to participate in the Arizona State Retirement System.

Stimulus Fund
(A.R.S. 15-188) (R7-2-316)

- The Charter School Stimulus Fund was established in the State Treasury for the purpose of providing financial support to Charter School applicants and Charter Schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures.
- The Department of Education will administer the Charter Schools Stimulus Fund.
- If sufficient monies are available, each qualifying Charter School shall be awarded an initial grant of up to $100,000 during or before the first year of the Charter School's operation.
- Applicants for Charter Schools that received the initial grant may apply to the Department of Education for an additional grant of up to $100,000.
- If an applicant for a Charter School received the initial or additional grant and fails to begin operating a Charter School within the next 18 months, the applicant shall reimburse the Department of Education for the amount of the additional grant plus interest calculated at ten percent per year.

Vacant Buildings (A.R.S. § 15-189)

The Department of Education, in conjunction with the Department of Administration, shall annually publish a list of vacant and unused buildings or portions of building that are owned by this state or by school districts in this state that may be suitable for the operation of a Charter School.

State Board for Charter Schools
(A.R.S. § 15-182)

The State Board for Charter Schools is established consisting of members specified in law representing specific bodies or constituencies for purposes of sponsoring Charter Schools and recommending legislation pertaining to Charter Schools.

ARTICLE 1. GENERAL PROVISIONS

Article 1, consisting of §§ 15-101, was added by Laws 1981, Ch. 1, § 2, effective January 23, 1981.

§ 15-101. Definitions

In this title, unless the context otherwise requires:

1. "Accommodation school" means a school which is operated through the county board of supervisors and the county school superintendent and which the county school superintendent administers to serve a military reservation or territory which is not included within the boundaries of a school district.

2. "Assessed valuation" means the valuation derived by applying the applicable percentage as provided in § 42-227 to the full cash value or limited property value, whichever is applicable, of the property.

3. "Charter school" means a public school established by contract with a district governing board, the state board of education or the state board for charter schools pursuant to article 8 of this chapter[1] to provide learning that will improve pupil achievement.

4. "Competency" means a demonstrated ability in a skill at a specified performance level.

5. "Course" means organized subject matter in which instruction is offered within a given period of time and for which credit toward promotion, graduation or certification is usually given. A course consists of knowledge selected from a subject for instructional purposes in the schools.

6. "Course of study" means a list of required and optional subjects to be taught in the schools.

7. "Fiscal year" means the year beginning July 1 and ending June 30.

8. "Governing board" means a body organized for the government and management of the schools within a school district or a county school superintendent in the conduct of an accommodation school.

9. "Handicapped child" means a child with a disability as defined in § 15-761.

10. "Instructional computer software" means computer programs designed for use as instructional aids. Instructional computer software includes programs usable for computer assisted instruction, computer managed instruction, drill and practice and problem simulations.

11. "Lease" means an agreement for conveyance and possession of real or personal property.

12. "Limited property value" means the value determined pursuant to § 42-201.02. Limited property value shall be used as the basis for assessing, fixing, determining and levying primary property taxes.

13. "Parent" means the natural or adoptive parent of a child or a person who has custody of a child.

14. "Person who has custody" means a parent or legal guardian of a child, a person to whom custody of the child has been given by order of a court or a person who stands in loco parentis to the child.

15. "Primary property taxes" means all ad valorem taxes except for secondary property taxes.

16. "Private school" means a nonpublic institution where instruction is imparted.

17. "School" means a public institution established by a school district or by a county school superintendent where instruction is imparted.

18. "School district" means a political subdivision of this state with geographic boundaries organized for the purpose of the administration, support and maintenance of the public schools or an accommodation school.

19. "Secondary property taxes" means ad valorem taxes used to pay the principal of and the interest and redemption charges on any bonded indebtedness or other lawful long-term obligation issued or incurred for a specific purpose by a school district or a community college district and amounts levied pursuant to an election to exceed a budget, expenditure or tax limitation.

20. "Subject" means a division or field of organized knowledge, such as English or mathematics, or a selection from an organized body of knowledge for a course or teaching unit, such as the English novel or elementary algebra.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1982, Ch. 197, § 1; Laws 1983, Ch. 182, § 1; Laws 1983, Ch. 325, § 1; Laws 1984, Ch. 349, § 1; Laws 1990, Ch. 348, § 1, eff. June 26, 1990; Laws 1992, Ch. 172, § 2; Laws 1994, Ch. 315, § 5; Laws 1994, 9th S.S., Ch. 2, § 1.

[1] Section 15-181 et seq.

ARTICLE 8. CHARTER SCHOOLS

Article 8, Charter Schools, consisting of §§ 15-181 to 15-189, was added by Laws 1994, 9th S.S., Ch. 2, § 2, effective September 16, 1994.

Another Article 8, Family Literacy Pilot Program, was renumbered as Article 9. See Article 9, § 15-191 and 15-191.01, and Reviser's Note, post.

§ 15-181. Charter schools; purpose; scope

A. Charter schools may be established pursuant to this article to provide a learning environment that will improve pupil achievement. Charter schools provide additional academic choices for parents and pupils. Charter schools may consist of new schools or all or any portion of an existing school.

B. Charter schools shall comply with all provisions of this article in order to receive state funding as prescribed in § 15-185.

Added by Laws 1994, 9th S.S., Ch. 2, § 2.

Historical and Statutory Notes

Another § 15-181 was renumbered as § 15-191.

§ 15-182. State board for charter schools; membership; terms; compensation; duties

A. The state board for charter schools is established consisting of the following members:

1. The superintendent of public instruction or the superintendent's designee.

2. Two members of the state board of education who are appointed by the governor pursuant to § 38-211.

3. Three members of the general public, each of whom shall reside in a neighborhood where a significant number of children reside who meet the eligibility requirements established under the national school lunch and child nutrition acts (42 United States code §§ 1751 through 1785) for free lunches, who are appointed by the governor pursuant to § 38-211.

4. Two members of the business community who are appointed by the governor pursuant to § 38-211.

5. Three members of the legislature who shall serve as advisory members and who are appointed jointly by the president of the senate and the speaker of the house of representatives.

B. The superintendent of public instruction shall serve a term on the state board for charter schools that runs concurrently with the superintendent's term of office. The members appointed pursuant to subsection A, paragraphs 2 and 5 of this section shall serve staggered four year terms on the state board for charter schools that begin and end on the third Monday in January and that run concurrently with their respective terms of office. Members appointed pursuant to subsection A, paragraphs 3 and 4 of this section shall serve staggered four year terms that begin and end on the third Monday in January.

C. The state board for charter schools shall annually elect a president and such other officers as it deems necessary from among its membership.

D. Members of the state board for charter schools are not eligible to receive compensation but are eligible for reimbursement of expenses pursuant to title 38, chapter 4, article 2.[1]

E. The state board for charter schools shall:

1. Exercise general supervision over charter schools sponsored by the board and recommend legislation pertaining to charter schools to the legislature.

2. Grant charter status to qualifying applicants for charter schools pursuant to § 15-183.

3. Adopt and use an official seal in the authentication of its acts.

4. Keep a record of its proceedings.

5. Adopt rules for its own government.

6. Determine the policy of the board and the work undertaken by it.

7. Delegate to the superintendent of public instruction the execution of board policies.

8. In conjunction with the state board of education, prepare a budget for expenditures necessary for the proper maintenance of the board and the accomplishment of its purpose.

F. The state board for charter schools may:

1. Contract.

2. Sue and be sued.

Added by Laws 1994, 9th S.S., Ch. 2, § 2.

[1] Section 38–621 et seq.

Termination Under Sunset Law

The state board for charter schools shall terminate on July 1, 2004, unless continued. See §§ 41–3004.15 and 41–2955.

Section 15–182, relating to the state board for charter schools, is repealed on January 1, 2005, by § 41–3004.15.

Historical and Statutory Notes

Laws 1994, 9th S.S., Ch. 2, §§ 19 and 22, provide:

"**Sec. 19. Purpose**

"The purpose of the state board for charter schools is to:

"1. Grant charter status to qualifying applicants for charter schools that are sponsored by the state board for charter schools.

"2. Exercise general supervision over charter schools sponsored by the state board for charter schools.

"3. Recommend proposed legislation pertaining to charter schools to the legislature."

"**Sec. 22. State board for charter schools; initial terms**

"A. Notwithstanding § 15–182, Arizona Revised Statutes, as added by this act, the initial appointments of the members of the state board for charter schools shall be made on October 1, 1994 and the initial terms of the members of the state board for charter schools are:

"1. For members appointed pursuant to § 15–182, subsection A, paragraph 2, Arizona Revised Statutes, one term ending on the third Monday in January, 1997 and one term ending on the third Monday in January, 1999.

"2. For members appointed pursuant to § 15–182, subsection A, paragraph 3, Arizona Revised Statutes, one term ending on the third Monday in January, 1997, one term ending on the third Monday in January, 1998 and one term ending on the third Monday in January, 1999.

"3. For members appointed pursuant to § 15–182, subsection A, paragraph 4, Arizona Revised Statutes, one term ending on the third Monday in January, 1997, and one term ending on the third Monday in January, 1999.

"B. All subsequent appointments shall be made as prescribed by statute."

Another § 15–182 was renumbered as § 15–191.01.

§ 15–183. Charter schools; application; requirements; immunity; exemptions; renewal of application; reprisal

A. An applicant seeking to establish a charter school shall submit a written proposal to a proposed sponsor as prescribed in subsection C of this section. The proposal may include a mission statement for the charter school, a description of the charter school's organizational structure and the governing body, a financial plan for the first three years of operation of the charter school,

BEST COPY AVAILABLE

a description of the charter school's hiring policy, the name of the charter school's applicant or applicants and requested sponsor, a description of the charter school's facility and the location of the school, a description of the grades being served and an outline of criteria designed to measure the effectiveness of the school.

B. The sponsor of a charter school may contract with a public body, private person or private organization for the purpose of establishing a charter school pursuant to this article.

C. The sponsor of a charter school may be either a school district governing board, the state board of education or the state board for charter schools, subject to the following requirements:

1. An applicant for a charter school may submit its application to a school district governing board, which shall either accept or reject sponsorship of the charter school within ninety days. An applicant may submit a revised application for reconsideration by the governing board. If the governing board rejects the application, the governing board shall notify the applicant in writing of the reasons for the rejection. The applicant may request, and the governing board may provide, technical assistance to improve the application.

2. The applicant may submit the application to the state board of education or the state board for charter schools. The state board of education or the state board for charter schools shall review the application submitted by the applicant within ninety days and may approve the charter if the application satisfactorily meets the requirements of this article. The state board of education or the state board for charter schools may each sponsor up to twenty-five charter schools each fiscal year. If the state board of education or the state board for charter schools rejects the preliminary application, the state board of education or the state board for charter schools shall notify the applicant in writing of the reasons for the rejection and of suggestions for improving the application. An applicant may submit a revised proposal for reconsideration by the state board of education or the state board for charter schools. The applicant may request, and the state board of education or the state board for charter schools may provide, technical assistance to improve the application.

D. A district governing board has no legal authority over or responsibility for a charter school sponsored by the state board of education or the state board for charter schools.

E. The charter of a charter school shall ensure the following:

1. Compliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance. The department of education shall publish a list of relevant rules, regulations and statutes to notify charter schools of their responsibilities under this paragraph.

2. That it is nonsectarian in its programs, admission policies and employment practices and all other operations.

3. That it provides a comprehensive program of instruction for at least a kindergarten program or any grade between grades one and twelve, except that

a school may offer this curriculum with an emphasis on a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts, performance arts or foreign language.

4. That it designs a method to measure pupil progress toward the pupil outcomes adopted by the state board of education pursuant to § 15–741.01 including participation in the essential skills tests and the nationally standardized norm-referenced achievement test as designated by the state board and the completion and distribution of an annual report card as prescribed in chapter 7, article 3 of this title.[1]

5. That, except as provided in this article and in its charter, it is exempt from all statutes and rules relating to schools, governing boards and school districts.

6. That it is subject to the same financial requirements as a school district including the uniform system of financial records as prescribed in chapter 2, article 4 of this title,[2] procurement rules as prescribed in § 15–213 and audit requirements. A school's charter may include exceptions to the requirements of this paragraph that are necessary as determined by the district governing board, the state board of education or the state board for charter schools. The department of education or the office of the auditor general may conduct financial, program or compliance audits.

7. Compliance with all federal and state laws relating to the education of children with disabilities in the same manner as a school district.

8. That it provides for a governing body for the charter school that is responsible for the policy and operational decisions of the charter school.

F. The charter of a charter school shall include a description of the charter school's personnel policies, personnel qualifications and method of school governance and the specific role and duties of the sponsor of the charter school.

G. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor.

H. Charter schools may contract, sue and be sued.

I. An approved plan to establish a charter school is effective for five years from the first day of operation. At the conclusion of the first four years of operation, the charter school may apply for renewal. The sponsor may deny the request for renewal if, in its judgment, the charter school has failed to complete the obligations of the contract or comply with this article. A sponsor shall give written notice of its intent not to renew the charter school's request for renewal to the charter school at least twelve months before the expiration of the approved plan to allow the charter school an opportunity to apply to another sponsor to transfer the operation of the charter school. If the operation of the charter school is transferred to another sponsor, the five year period shall be repeated.

J. After renewal of the charter at the end of the five year period described in subsection I of this section, the charter may be renewed for successive periods of seven years if the charter school and its sponsor deem that the school is in compliance with its own charter and the provisions of this article.

K. A charter school that is sponsored by the state board of education or the state board for charter schools may not be located on the property of a school district unless the district governing board grants this authority.

L. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee of the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an education program and:

1. With respect to a school district employee, results in one or more of the following:

(a) Disciplinary or corrective action.

(b) Detail, transfer or reassignment.

(c) Suspension, demotion or dismissal.

(d) An unfavorable performance evaluation.

(e) A reduction in pay, benefits or awards.

(f) Elimination of the employee's position without a reduction in force by reason of lack of monies or work.

(g) Other significant changes in duties or responsibilities that are inconsistent with the employee's salary or employment classification.

2. With respect to an educational program, results in one or more of the following:

(a) Suspension or termination of the program.

(b) Transfer or reassignment of the program to a less favorable department.

(c) Relocation of the program to a less favorable site within the school or school district.

(d) Significant reduction or termination of funding for the program.

Added by Laws 1994, 9th S.S., Ch. 2, § 2.

[1] Section 15-741 et seq.

[2] Section 15-271 et seq.

§ 15-184. Charter schools; admission requirements

A. A charter school shall enroll all eligible pupils who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. A charter school that is sponsored by a school district governing board shall give enrollment preference to eligible pupils who reside within the boundaries of the school district where the charter school is physically located. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall select pupils through an equitable selection process such as a lottery.

B. Except as provided in subsection C, a charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability.

C. A charter school may limit admission to pupils within a given age group or grade level.

D. A charter school shall admit pupils who reside in the attendance area of a school or who reside in a school district that is under a court order of desegregation or that is a party to an agreement with the United States department of education office for civil rights directed toward remediating alleged or proven racial discrimination unless notice is received from the resident school that the admission would violate the court order or agreement. If a charter school admits a pupil after notice is received that the admission would constitute such a violation, the charter school is not allowed to include in its student count the pupils wrongfully admitted.

Added by Laws 1994, 9th S.S., Ch. 2, § 2.

§ 15-185. Charter schools; financing

A. A charter school that is sponsored by a school district governing board shall receive per pupil expenditures equal to at least the average cost per pupil for the district as a whole. The uniform system of financial records shall include guidelines for determining the average cost per pupil for the district for the purposes of this section. A school district is not financially responsible for any charter school that is sponsored by the state board of education or the state board for charter schools.

B. A charter school that is sponsored by the state board of education or the state board for charter schools shall calculate a base support level as prescribed in § 15-943, a transportation support level as prescribed in § 15-945, a capital outlay revenue limit as prescribed in § 15-961 and a capital levy revenue limit as prescribed in § 15-962, except that:

1. Sections 15-941 and 15-942 do not apply to charter schools.

2. The student count for the first year of operation shall be determined initially using an estimated student count based on actual registration of pupils before the beginning of the school year. After the first one hundred days in session for the first year of operation, the charter school shall revise the student count to be equal to the actual average daily membership, as defined in § 15-901, or the adjusted average daily membership, as prescribed in § 15-902, of the charter school. Before the one hundredth day in session, the state board of education or the state board for charter schools may require a charter school to report periodically regarding pupil enrollment and attendance. A charter school shall revise its student count, base support level, transportation support

level and capital outlay revenue limit before May 15. A charter school that overestimated its student count shall revise its budget before May 15. A charter school that underestimated its student count may revise its budget before May 15.

3. The transportation support level for the first year of operation shall be determined using an estimated transportation support level as prescribed in § 15-945 before the beginning of the school year. After the first one hundred days in session for the first year of operation, the charter school shall revise the transportation support level to be equal to the actual transportation support level of the charter school. Before the one hundredth day in session, the state board of education or the state board for charter schools may require a charter school to report periodically regarding the daily route mileage and the number of eligible students transported. A charter school that overestimated its transportation support level shall revise its budget before May 15. A charter school that underestimated its transportation support level may revise its budget before May 15.

4. A charter school that is sponsored by the state board of education or the state board for charter schools may utilize § 15-855 for the purposes of this section. The charter school and the department of education shall prescribe procedures for determining average daily attendance and average daily membership.

C. Equalization assistance for the charter school for the budget year shall be determined by adding the amount of the base support level, the transportation support level, the capital levy revenue limit and the capital outlay revenue limit for the budget year as calculated pursuant to this section.

D. The state board of education shall apportion state aid to the state treasurer for disbursement to each charter school that is sponsored by the state board of education or the state board for charter schools in an amount as determined by this subsection. The apportionments shall be as follows:

1. On July 1, one-third of the total amount to be apportioned during the fiscal year.

2. On October 15, one-twelfth of the total amount to be apportioned during the fiscal year.

3. On December 15, one-twelfth of the total amount to be apportioned during the fiscal year.

4. On January 15, one-twelfth of the total amount to be apportioned during the fiscal year.

5. On February 15, one-twelfth of the total amount to be apportioned during the fiscal year.

6. On March 15, one-twelfth of the total amount to be apportioned during the fiscal year.

7. On April 15, one-twelfth of the total amount to be apportioned during the fiscal year.

8. On May 15, one-twelfth of the total amount to be apportioned during the fiscal year.

9. On June 15, one-twelfth of the total amount to be apportioned during the fiscal year.

E. Charter schools that are sponsored by the state board of education or the state board for charter schools shall not charge tuition, levy taxes or issue bonds.

Added by Laws 1994, 9th S.S., Ch. 2, § 2.

§ 15-186. Charter schools; transportation provisions

A. Charter schools are subject to the transportation provisions prescribed in § 15-816.06.

B. The school district in which the charter school is physically located is considered a nonresident school district for the purposes of § 15-816.06 with respect to transportation of charter school pupils.

Added by Laws 1994, 9th S.S., Ch. 2, § 2.

§ 15-187. Charter schools; teachers; employment benefits

A. A teacher who is employed by or teaching at a charter school and who was previously employed as a teacher at a school district shall not lose any right of certification, retirement or salary status or any other benefit provided by law, by the rules of the governing board of the school district or by the rules of the board of directors of the charter school due to teaching at a charter school on the teacher's return to the school district.

B. A teacher who is employed by or teaching at a charter school and who submits an employment application to the school district where the teacher was employed immediately before employment by or at a charter school shall be given employment preference by the school district if both of the following conditions are met:

1. The teacher submits an employment application to the school district no later than three years after ceasing employment with the school district.

2. A suitable position is available at the school district.

Added by Laws 1994, 9th S.S., Ch. 2, § 2.

§ 15-188. Charter schools stimulus fund

A. The charter schools stimulus fund is established in the state treasury for the purpose of providing financial support to charter school applicants and charter schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures. The fund consists of monies appropriated by the legislature and grants, gifts, devises and donations from any public or private source. The department of education shall administer the fund.

B. The state board of education shall adopt rules to implement the provisions of this section, including application and notification requirements. If sufficient monies are appropriated for this purpose, monies from the charter schools stimulus fund shall be distributed to qualifying charter school applicants and charter schools in the following manner:

1. Each qualifying charter school applicant or charter school shall be awarded an initial grant of up to one hundred thousand dollars during or before the first year of the charter school's operation. If an applicant for a charter school receives an initial grant pursuant to this paragraph and fails to begin operating a charter school within the next eighteen months, the applicant shall reimburse the department of education for the amount of the initial grant plus interest calculated at a rate of ten per cent a year.

2. Applicants for charter schools and charter schools that received initial grants pursuant to paragraph 1 may apply to the department of education for an additional grant of up to one hundred thousand dollars. If an applicant for a charter school receives an additional grant pursuant to this paragraph and fails to begin operating a charter school within the next eighteen months, the applicant shall reimburse the department of education for the amount of the additional grant plus interest calculated at a rate of ten per cent a year. A reimbursement required by this paragraph is in addition to any reimbursement required by paragraph 1.

C. Monies in the charter schools stimulus fund are exempt from the provisions of § 35-190 relating to lapsing of appropriations.
Added by Laws 1994, 9th S.S., Ch. 2, § 2.

§ 15-189. Charter schools; vacant buildings; list

The department of education, in conjunction with the department of administration, shall annually publish a list of vacant and unused buildings and vacant and unused portions of buildings that are owned by this state or by school districts in this state and that may be suitable for the operation of a charter school. The department of education shall make the list available to applicants for charter schools and to existing charter schools. The list shall include the address of each building, a short description of the building and the name of the owner of the building. Nothing in this section requires the owner of a building on the list to sell or lease the building or a portion of the building to a charter school or to any other school or to any other prospective buyer or tenant.
Added by Laws 1994, 9th S.S., Ch. 2, § 2.

House Engrossed Senate Bill

State of Arizona
Senate
Forty-second Legislature
First Regular Session
1995

CHAPTER 273

SENATE BILL 1361

AN ACT

AMENDING SECTIONS 15-183, 15-185 AND 15-187, ARIZONA REVISED STATUTES; RELATING TO CHARTER SCHOOLS.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-183, Arizona Revised Statutes, is amended to read:

15-183. Charter schools: application: requirements: immunity: exemptions: renewal of application: reprisal

A. An applicant seeking to establish a charter school shall submit a written ~~proposal~~ APPLICATION to a proposed sponsor as prescribed in subsection C of this section. The ~~proposal~~ APPLICATION may include a mission statement for the charter school, a description of the charter school's organizational structure and the governing body, a financial plan for the first three years of operation of the charter school, a description of the charter school's hiring policy, the name of the charter school's applicant or applicants and requested sponsor, a description of the charter school's facility and the location of the school, a description of the grades being served and an outline of criteria designed to measure the effectiveness of the school.

B. The sponsor of a charter school may contract with a public body, private person or private organization for the purpose of establishing a charter school pursuant to this article.

C. The sponsor of a charter school may be either a school district governing board, the state board of education or the state board for charter schools, subject to the following requirements:

1. An applicant for a charter school may submit its application to a school district governing board, which shall either accept or reject sponsorship of the charter school within ninety days. An applicant may submit a revised application for reconsideration by the governing board. If the governing board rejects the application, the governing board shall notify the applicant in writing of the reasons for the rejection. The applicant may request, and the governing board may provide, technical assistance to improve the application.

2. The applicant may submit the application to the state board of education or the state board for charter schools. The state board of education or the state board for charter schools ~~shall review the application submitted by the applicant within ninety days and may approve the charter if the application satisfactorily meets the requirements of this article~~ MAY APPROVE THE APPLICATION IF THE APPLICATION MEETS THE REQUIREMENTS OF THIS ARTICLE AND MAY APPROVE THE CHARTER IF THE PROPOSED SPONSOR DETERMINES, WITHIN ITS SOLE DISCRETION, THAT THE APPLICANT IS SUFFICIENTLY QUALIFIED TO OPERATE A CHARTER SCHOOL. The state board of education or the state board for charter schools may each ~~sponsor~~ APPROVE up to twenty-five charter schools each fiscal year. If the state board of education or the state board for charter schools rejects the preliminary application, the state board of education or the state board for charter schools shall notify the applicant in writing of the reasons for the rejection and of suggestions for improving the application. An applicant may submit a revised ~~proposal~~ APPLICATION for reconsideration by the state board of education or the state board for charter schools. The applicant may request, and the state board of education or the state board for charter schools may provide, technical assistance to improve the application.

3. FINGERPRINT CHECKS FOR APPLICANTS OF A CHARTER SCHOOL SHALL BE CONDUCTED PURSUANT TO SECTION 41-1750, SUBSECTION G, PRIOR TO THE ISSUANCE OF A CHARTER.

4. ALL NONCERTIFICATED PERSONNEL SHALL BE FINGERPRINT CHECKED PURSUANT TO SECTION 15-512.

D. A district governing board has no legal authority over or responsibility for a charter school sponsored by the state board of education or the state board for charter schools.

E. The charter of a charter school shall ensure the following:

1. Compliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance. The department of education shall publish a list of relevant rules, regulations and statutes to notify charter schools of their responsibilities under this paragraph.

2. That it is nonsectarian in its programs, admission policies and employment practices and all other operations.

3. That it provides a comprehensive program of instruction for at least a kindergarten program or any grade between grades one and twelve, except that a school may offer this curriculum with an emphasis on a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts, performance arts or foreign language.

4. That it designs a method to measure pupil progress toward the pupil outcomes adopted by the state board of education pursuant to section 15-741.01 including participation in the essential skills tests and the nationally standardized norm-referenced achievement test as designated by the state board and the completion and distribution of an annual report card as prescribed in chapter 7, article 3 of this title.

5. That, except as provided in this article and in its charter, it is exempt from all statutes and rules relating to schools, governing boards and school districts.

6. That it is subject to the same financial requirements as a school district including the uniform system of financial records as prescribed in chapter 2, article 4 of this title, procurement rules as prescribed in section 15-213 and audit requirements. A school's charter may include exceptions to the requirements of this paragraph that are necessary as determined by the district governing board, the state board of education or the state board for charter schools. The department of education or the office of the auditor general may conduct financial, program or compliance audits.

7. Compliance with all federal and state laws relating to the education of children with disabilities in the same manner as a school district.

8. That it provides for a governing body for the charter school that is responsible for the policy and operational decisions of the charter school.

F. The charter of a charter school shall include a description of the charter school's personnel policies, personnel qualifications and method of school governance and the specific role and duties of the sponsor of the charter school.

G. The charter of a charter school may be amended at the request of the governing body of the charter school and on the approval of the sponsor.

H. Charter schools may contract, sue and be sued.

I. An approved plan to establish a charter school is effective for five years from the first day of operation. At the conclusion of the first four years of operation, the charter school may apply for renewal. The sponsor may deny the request for renewal if, in its judgment, the charter school has failed to complete the obligations of the ~~contract~~ APPLICATION or HAS FAILED TO comply with this article. A sponsor shall give written notice of its intent not to renew the charter school's request for renewal to the charter school at least twelve months before the expiration of the approved plan to allow the charter school an opportunity to apply to another sponsor to transfer the operation of the charter school. If the operation of the charter school is transferred to another sponsor, the five year period shall be repeated. A SPONSOR MAY REVOKE A CHARTER AT ANY TIME IF THE CHARTER SCHOOL BREACHES ONE OR MORE PROVISIONS OF ITS CHARTER.

J. After renewal of the charter at the end of the five year period described in subsection I of this section, the charter may be renewed for successive periods of seven years if the charter school and its sponsor deem that the school is in compliance with its own charter and the provisions of this article.

K. A charter school that is sponsored by the state board of education or the state board for charter schools may not be located on the property of a school district unless the district governing board grants this authority.

L. A governing board or a school district employee who has control over personnel actions shall not take unlawful reprisal against another employee of the school district because the employee is directly or indirectly involved in an application to establish a charter school. A governing board or a school district employee shall not take unlawful reprisal against an educational program of the school or the school district because an application to establish a charter school proposes the conversion of all or a portion of the educational program to a charter school. As used in this subsection, "unlawful reprisal" means an action that is taken by a governing board or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to another employee or an education program and:

1. With respect to a school district employee, results in one or more of the following:

(a) Disciplinary or corrective action.

(b) Detail, transfer or reassignment.

(c) Suspension, demotion or dismissal.

(d) An unfavorable performance evaluation.

(e) A reduction in pay, benefits or awards.

(f) Elimination of the employee's position without a reduction in force by reason of lack of monies or work.

(g) Other significant changes in duties or responsibilities that are inconsistent with the employee's salary or employment classification.

2. With respect to an educational program, results in one or more of the following:

(a) Suspension or termination of the program.

(b) Transfer or reassignment of the program to a less favorable department.

(c) Relocation of the program to a less favorable site within the school or school district.

(d) Significant reduction or termination of funding for the program.

M. CHARTER SCHOOLS DO NOT HAVE THE AUTHORITY TO ACQUIRE PROPERTY BY EMINENT DOMAIN.

N. A SCHOOL DISTRICT GOVERNING BOARD AND ITS AGENTS AND EMPLOYEES ARE NOT LIABLE FOR ANY ACTS OR OMISSIONS OF A CHARTER SCHOOL THAT IS SPONSORED BY THE SCHOOL DISTRICT, INCLUDING ACTS OR OMISSIONS RELATING TO THE APPLICATION SUBMITTED BY THE CHARTER SCHOOL, THE CHARTER OF THE CHARTER SCHOOL, THE OPERATION OF THE CHARTER SCHOOL AND THE PERFORMANCE OF THE CHARTER SCHOOL.

O. A SPONSOR OTHER THAN A SCHOOL DISTRICT GOVERNING BOARD, INCLUDING MEMBERS, OFFICERS AND EMPLOYEES OF THE SPONSOR, ARE IMMUNE FROM PERSONAL LIABILITY FOR ALL ACTS DONE AND ACTIONS TAKEN IN GOOD FAITH WITHIN THE SCOPE OF THEIR AUTHORITY DURING DULY CONSTITUTED REGULAR AND SPECIAL MEETINGS.

P. THE SPONSOR OF A CHARTER SCHOOL SHALL ESTABLISH PROCEDURES TO CONDUCT ADMINISTRATIVE HEARINGS UPON DETERMINATION BY THE SPONSOR THAT GROUNDS EXIST TO REVOKE A CHARTER. PROCEDURES FOR ADMINISTRATIVE HEARINGS SHALL BE SIMILAR TO PROCEDURES PRESCRIBED FOR ADJUDICATIVE PROCEEDINGS IN TITLE 41, CHAPTER 6, ARTICLE 6. FINAL DECISIONS OF THE STATE BOARD OF EDUCATION AND THE STATE BOARD FOR CHARTER SCHOOLS FROM HEARINGS CONDUCTED PURSUANT TO THIS SUBSECTION ARE SUBJECT TO JUDICIAL REVIEW PURSUANT TO TITLE 12, CHAPTER 7, ARTICLE 6.

Sec. 2. Section 15-185, Arizona Revised Statutes, is amended to read:

15-185. Charter schools; financing

A. A charter school that is sponsored by a school district governing board shall receive per pupil expenditures equal to at least the average cost per pupil for the district as a whole. The uniform system of financial records shall include guidelines for determining the average cost per pupil for the district for the purposes of this section. A school district is not financially responsible for any charter school that is sponsored by the state board of education or the state board for charter schools.

B. A charter school that is sponsored by the state board of education or the state board for charter schools shall calculate a base support level as prescribed in section 15-943, a transportation support level as prescribed in section 15-945, a capital outlay revenue limit as prescribed in section 15-961 and a capital levy revenue limit as prescribed in section 15-962, except that:

~~1.~~ sections 15-941 and 15-942 do not apply to THESE charter schools.

~~2.~~ C. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, the student count for the first year of operation OF A CHARTER SCHOOL shall be determined initially using an estimated student count based on actual registration of pupils before the beginning of the school year. After the first one hundred days in session for the first year of operation, the charter school shall revise the student count to be equal to the actual average daily membership, as defined in section 15-901, or the adjusted average daily membership, as prescribed in section 15-902, of the charter school. Before the one hundredth day in session, the state board of education or the state board for charter schools may require a charter school to report periodically regarding pupil enrollment and attendance. A charter school shall revise its student count, base support level, transportation support level and capital outlay revenue limit before May 15. A charter school that overestimated its student count shall revise its budget before May 15. A charter school that underestimated its student count may revise its budget before May 15.

~~3.~~ D. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, the transportation support level for the first year of operation OF A CHARTER SCHOOL shall be determined using an estimated transportation support level as prescribed in section 15-945 before the beginning of the school year. After the first one hundred days in session for the first year of operation, the charter school shall revise the transportation support level to be equal to the actual transportation support level of the charter school. Before the one hundredth day in session, the state board of education or the state board for charter schools may require a charter school to report periodically regarding the daily route mileage and the number of eligible students transported. A charter school that overestimated its transportation support level shall revise its budget before May 15. A charter school that underestimated its transportation support level may revise its budget before May 15.

~~4.~~ E. A charter school that is sponsored by the state board of education or the state board for charter schools may utilize section 15-855 for the purposes of this section. The charter school and the department of education shall prescribe procedures for determining average daily attendance and average daily membership.

F. A CHARTER SCHOOL THAT CALCULATED ITS BUDGET DURING ITS INITIAL YEAR OF OPERATION PURSUANT TO SUBSECTIONS C AND D OF

THIS SECTION MAY CONTINUE TO UTILIZE THE PROVISIONS OF SUBSECTIONS C AND D OF THIS SECTION IN EACH SUBSEQUENT FISCAL YEAR THAT BOTH OF THE FOLLOWING CONDITIONS EXIST:

1. AFTER ITS FIRST YEAR OF OPERATION, THE CHARTER SCHOOL INCREASES THE NUMBER OF GRADE LEVELS IN WHICH INSTRUCTION IS OFFERED OR THE NUMBER OF PROGRAMS THAT ARE OFFERED.

2. THE NUMBER OF PUPILS ACCEPTED FOR ENROLLMENT IN THE CHARTER SCHOOL INCREASES BY FIVE OR MORE PER CENT OVER THE PREVIOUS SCHOOL YEAR.

~~C.~~ G. Equalization assistance for the charter school for the budget year shall be determined by adding the amount of the base support level, the transportation support level, the capital levy revenue limit and the capital outlay revenue limit for the budget year as calculated pursuant to this section.

~~D.~~ H. The state board of education shall apportion state aid FROM THE APPROPRIATIONS MADE FOR SUCH PURPOSES to the state treasurer for disbursement to ~~each charter school~~ THE COUNTIES FOR THE CHARTER SCHOOL IN EACH COUNTY that is sponsored by the state board of education or the state board for charter schools in an amount as determined by this subsection. The apportionments shall be as follows:

1. On July 1, one-third of the total amount to be apportioned during the fiscal year.

2. On October 15, one-twelfth of the total amount to be apportioned during the fiscal year.

3. On December 15, one-twelfth of the total amount to be apportioned during the fiscal year.

4. On January 15, one-twelfth of the total amount to be apportioned during the fiscal year.

5. On February 15, one-twelfth of the total amount to be apportioned during the fiscal year.

6. On March 15, one-twelfth of the total amount to be apportioned during the fiscal year.

7. On April 15, one-twelfth of the total amount to be apportioned.

8. On May 15, one-twelfth of the total amount to be apportioned during the fiscal year.

9. On June 15, one-twelfth of the total amount to be apportioned during the fiscal year.

~~E.~~ I. Charter schools that are sponsored by the state board of education or the state board for charter schools shall not charge tuition, levy taxes or issue bonds.

J. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL FURNISH TO THE COUNTY TREASURER AN ABSTRACT OF THE APPORTIONMENT AND SHALL CERTIFY THE APPORTIONMENT TO THE DEPARTMENT OF ADMINISTRATION, WHICH SHALL DRAW ITS WARRANT IN FAVOR OF THE COUNTY TREASURER OF EACH COUNTY FOR THE AMOUNT APPORTIONED.

Sec. 3. Section 15-187, Arizona Revised Statutes, is amended to read:

15-187. Charter schools: teachers: employment benefits

A. A teacher who is employed by or teaching at a charter school and who was previously employed as a teacher at a school district shall not lose any right of certification, retirement or salary status or any other benefit provided by law, by the rules of the governing board of the school district or by the rules of the board of directors of the charter school due to teaching at a charter school on the teacher's return to the school district.

B. A teacher who is employed by or teaching at a charter school and who submits an employment application to the school district where the teacher was employed immediately before employment by or at a charter school shall be given employment preference by the school district if both of the following conditions are met:

1. The teacher submits an employment application to the school district no later than three years after ceasing employment with the school district.
2. A suitable position is available at the school district.

C. A CHARTER SCHOOL THAT IS SPONSORED BY A SCHOOL DISTRICT GOVERNING BOARD, THE STATE BOARD OF EDUCATION OR THE STATE BOARD FOR CHARTER SCHOOLS IS ELIGIBLE TO PARTICIPATE IN THE ARIZONA STATE RETIREMENT SYSTEM PURSUANT TO TITLE 38, CHAPTER 5, ARTICLE 2. THE CHARTER SCHOOL IS A POLITICAL SUBDIVISION OF THIS STATE FOR PURPOSES OF TITLE 38, CHAPTER 5, ARTICLE 2.

APPROVED BY THE GOVERNOR APRIL 19, 1995

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 21, 1995

House Engrossed

FILED

Jane Dee Hull
Secretary of State

State of Arizona
House of Representatives
Forty-second Legislature
First Regular Session
1995

CHAPTER 1

HOUSE BILL 2019

AN ACT

AMENDING SECTIONS 15-186 AND 15-816, ARIZONA REVISED STATUTES; CHANGING THE ARTICLE HEADING OF TITLE 15, CHAPTER 8, ARTICLE 1.1, ARIZONA REVISED STATUTES, TO "OPEN SCHOOL ENROLLMENT"; REPEALING SECTIONS 15-816.01, 15-816.02 AND 15-816.03, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 8, ARTICLE 1.1, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 15-816.01; RENUMBERING SECTION 15-816.04, ARIZONA REVISED STATUTES, AS SECTION 15-816.02; AMENDING SECTION 15-816.02, ARIZONA REVISED STATUTES, AS RENUMBERED BY THIS ACT; REPEALING SECTIONS 15-816.05 AND 15-816.06, ARIZONA REVISED STATUTES; AMENDING SECTION 15-901, ARIZONA REVISED STATUTES; AMENDING LAWS 1994, NINTH SPECIAL SESSION, CHAPTER 2, SECTIONS 34 AND 35; RELATING TO OPEN ENROLLMENT.

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-186, Arizona Revised Statutes, is amended to read:

15-186. Charter schools; transportation provisions

A. Charter schools are subject to the transportation provisions prescribed in ~~section 15-816.06~~ CHAPTER 8, ARTICLE 1.1 OF THIS TITLE.

B. The school district in which the charter school is physically located is considered a nonresident school district for the purposes of ~~section 15-816.06~~ CHAPTER 8, ARTICLE 1.1 OF THIS TITLE with respect to transportation of charter school pupils.

Sec. 2. Section 15-816, Arizona Revised Statutes, is amended to read:

15-816. Definitions

In this article, unless the context otherwise requires:

1. "Nonresident pupil" means a pupil who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the pupil resides.

~~2. "Nonresident school" means the school that a nonresident pupil attends.~~

~~3. "Nonresident school district" means the school district in which the nonresident school is located.~~

~~4. "Resident pupil" means a pupil who resides in the school district where the pupil attends school as provided in section 15-824, subsection B~~

BEST COPY AVAILABLE

~~or who has been issued a certificate of educational convenience pursuant to section 15-825.~~

2. "OPEN ENROLLMENT" MEANS A POLICY ADOPTED AND IMPLEMENTED BY A SCHOOL DISTRICT GOVERNING BOARD TO ALLOW RESIDENT TRANSFER PUPILS TO ENROLL IN ANY SCHOOL WITHIN THE SCHOOL DISTRICT, TO ALLOW RESIDENT PUPILS TO ENROLL IN ANY SCHOOL LOCATED WITHIN OTHER SCHOOL DISTRICTS IN THIS STATE AND TO ALLOW NONRESIDENT PUPILS TO ENROLL IN ANY SCHOOL WITHIN THE DISTRICT PURSUANT TO SECTION 15-816.01.

~~5.~~ 3. "Resident school" means a school within the designated attendance area in which a pupil resides.

~~6.~~ 4. "Resident transfer pupil" means a resident pupil who is enrolled in or seeking enrollment in a school that is within the school district but outside the attendance area of the pupil's residence.

Sec. 3. Heading Change

The article heading of title 15, chapter 8, article 1.1, Arizona Revised Statutes, is changed from "OPEN SCHOOL ENROLLMENT AND PARENTAL CHOICE" to "OPEN SCHOOL ENROLLMENT".

Sec. 4. Repeal

Sections 15-816.01, 15-816.02 and 15-816.03, Arizona Revised Statutes, are repealed.

Sec. 5. Title 15, chapter 8, article 1.1, Arizona Revised Statutes, is amended by adding a new section 15-816.01, to read:

15-816.01. Enrollment policies

A. SCHOOL DISTRICT GOVERNING BOARDS SHALL ESTABLISH POLICIES AND SHALL IMPLEMENT AN OPEN ENROLLMENT PROGRAM WITHOUT CHARGING TUITION. TUITION MAY BE CHARGED TO NONRESIDENT PUPILS ONLY WHEN THE TUITION IS AUTHORIZED UNDER SECTION 15-764, SUBSECTION E, PARAGRAPH 1, SECTION 15-797, SUBSECTION C, SECTION 15-823, SUBSECTION A, SECTION 15-824, SUBSECTION A OR SECTION 15-825. THESE POLICIES SHALL INCLUDE ADMISSION CRITERIA, APPLICATION PROCEDURES AND TRANSPORTATION PROVISIONS. A COPY OF THE DISTRICT POLICIES FOR OPEN ENROLLMENT SHALL BE FILED WITH THE DEPARTMENT OF EDUCATION.

B. THE GOVERNING BOARD OF THE DISTRICT EDUCATING THE PUPIL MAY PROVIDE TRANSPORTATION LIMITED TO NO MORE THAN TWENTY MILES EACH WAY TO AND FROM THE SCHOOL OF ATTENDANCE OR TO AND FROM A PICKUP POINT ON A REGULAR TRANSPORTATION ROUTE OR FOR THE TOTAL MILES TRAVELED EACH DAY TO AN ADJACENT DISTRICT FOR ELIGIBLE NONRESIDENT PUPILS WHO MEET THE ECONOMIC ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER THE NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACTS (42 UNITED STATES CODE SECTIONS 1751 THROUGH 1785) FOR FREE OR REDUCED PRICE LUNCHES.

C. THE GOVERNING BOARD OF THE DISTRICT EDUCATING THE PUPIL SHALL PROVIDE TRANSPORTATION LIMITED TO NO MORE THAN TWENTY MILES EACH WAY TO AND FROM THE SCHOOL OF ATTENDANCE OR TO AND FROM A PICKUP POINT ON A REGULAR TRANSPORTATION ROUTE OR FOR THE TOTAL MILES TRAVELED EACH DAY TO AN ADJACENT DISTRICT FOR NONRESIDENT PUPILS WITH DISABILITIES WHOSE INDIVIDUALIZED

EDUCATION PLAN SPECIFIES THAT TRANSPORTATION IS NECESSARY FOR FULFILLMENT OF THE PLAN.

Sec. 6. Section 15-816.04, Arizona Revised Statutes, is renumbered as section 15-816.02 and, as so renumbered, is amended to read:

15-816.02. Desegregation provisions

~~Notwithstanding section 15-816.01, if a school or a school district is under a court order of desegregation or is a party to an agreement with the United States department of education office for civil rights directed toward remediating alleged or proven racial discrimination, additional selection criteria may be added to those specified in section 15-816.02 to prevent any violation of the court order or agreement.~~ A school shall admit pupils who reside in the attendance area of a school that is under ~~such a~~ A court order OF DESEGREGATION or THAT IS A PARTY TO AN agreement ~~as provided in this section~~ WITH THE UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS DIRECTED TOWARD REMEDIATING ALLEGED OR PROVEN RACIAL DISCRIMINATION unless notice is received from the resident school that the admission would violate the court order or agreement. If a school admits a pupil after notice is received that the admission would constitute such a violation, the school's district is not allowed to include in its student count the pupils wrongfully admitted. A school shall not be required to admit nonresident or resident transfer pupils if the admission would violate the provisions of the court order or agreement.

Sec. 7. Repeal

Sections 15-816.05 and 15-816.06, Arizona Revised Statutes, are repealed.

Sec. 8. Section 15-901, Arizona Revised Statutes, is amended to read:

15-901. Definitions

A. In this title, unless the context otherwise requires:

1. "Average daily attendance" or "ADA" means actual average daily attendance through the first one hundred days in session.

2. "Average daily membership" means the total enrollment of fractional students and full-time students, minus withdrawals, of each school day through the first one hundred days in session for the current year. Withdrawals include students formally withdrawn from schools and students absent for ten consecutive school days, except for excused absences as identified by the department of education. For computation purposes, the effective date of withdrawal shall be retroactive to the last day of actual attendance of the student.

(a) "Fractional student" means:

(i) For common schools, a preschool child who is at least three years of age and enrolled in a program for preschool children with disabilities of at least three hundred sixty minutes each week or a kindergarten student at least five years of age prior to January 1 of the school year and enrolled in a school kindergarten program that meets at least three hundred forty-six instructional hours during the minimum number of days required in a school year as provided in section 15-341. Lunch periods and recess periods may not be included as part of the instructional hours unless the child's individualized education program requires instruction during those periods and the specific reasons for such instruction are fully documented. In computing the average daily membership, preschool children with disabilities and kindergarten students shall be counted as one-half of a full-time student. For common schools, a part-time student is a student enrolled for less than the total time for a full-time student as defined in this section. A part-time common school student shall be counted as one-fourth, one-half or three-fourths of a full-time student if the student is enrolled in an instructional program that is at least one-fourth, one-half or three-fourths of the time a full-time student is enrolled as defined in subdivision (b) of this paragraph.

(ii) For high schools, a part-time student who is enrolled in less than four subjects that count toward graduation as defined by the state board of education in a recognized high school and who is taught in less than twenty instructional hours per week prorated for any week with fewer than five school days. A part-time high school student shall be counted as one-fourth, one-half or three-fourths of a full-time student if the student is enrolled in an instructional program that is at least one-fourth, one-half or three-fourths of a full-time instructional program as defined in subdivision (c) of this paragraph.

(b) "Full-time student" means:

(i) For common schools, a student who is at least six years of age prior to January 1 of a school year, who has not graduated from the highest grade taught in the school district and who is regularly enrolled in a course of study required by the state board of education. First, second and third grade students, ungraded students at least six, but under nine, years of age by September 1 or ungraded group B children with disabilities who are at least five, but under six, years of age by September 1 must be enrolled in an instructional program that meets for a total of at least six hundred ninety-two hours during the minimum number of days required in a school year as provided in section 15-341. Fourth, fifth and sixth grade students or ungraded students at least nine, but under twelve, years of age by September 1 must be enrolled in an instructional program that meets for a total of at least eight hundred sixty-five hours during the minimum number of school days required in a school year as provided in section 15-341. Seventh and eighth grade students or ungraded students at least twelve, but under fourteen, years of age by September 1 must be enrolled in an instructional program that meets for a total of at least one thousand thirty-eight hours during the minimum number of days required in a school year as provided in section 15-341. Lunch periods and recess periods may not be included as part of the instructional hours unless the student is a child with a disability and the

BEST COPY AVAILABLE

child's individualized education program requires instruction during those periods and the specific reasons for such instruction are fully documented.

(ii) For high schools, a student not graduated from the highest grade taught in the school district, or an ungraded student at least fourteen years of age by September 1, and enrolled in at least a full-time instructional program of subjects that count toward graduation as defined by the state board of education in a recognized high school. A full-time student shall not be counted more than once for computation of average daily membership.

(iii) For homebound or hospitalized, a student receiving at least four hours of instruction per week.

(c) "Full-time instructional program" means at least four subjects, each of which, if taught each school day for the minimum number of days required in a school year, would meet a minimum of one hundred twenty hours a year, or the equivalent, or one or more subjects taught in amounts of time totalling at least twenty hours per week prorated for any week with fewer than five school days.

3. "Budget year" means the fiscal year for which the school district is budgeting and which immediately follows the current year.

4. "Common school district" means a political subdivision of this state offering instruction to students in programs for preschool children with disabilities and kindergarten programs and grades one through eight.

5. "Current year" means the fiscal year in which a school district is operating.

6. "Daily attendance" means:

(a) For common schools, days in which a pupil:

(i) Of a kindergarten program or ungraded, but not group B children with disabilities, and at least five, but under six, years of age by September 1 attends at least three-quarters of the instructional time scheduled for the day. If the total instruction time scheduled for the year is at least three hundred forty-six hours but is less than six hundred ninety-two hours such attendance shall be counted as one-half day of attendance. If the instructional time scheduled for the year is at least six hundred ninety-two hours, "daily attendance" means days in which a pupil attends at least one-half of the instructional time scheduled for the day. Such attendance shall be counted as one-half day of attendance.

(ii) Of the first, second or third grades, ungraded and at least six, but under nine, years of age by September 1 or ungraded group B children with disabilities and at least five, but under six, years of age by September 1 attends more than three-quarters of the instructional time scheduled for the day.

(iii) Of the fourth, fifth or sixth grades or ungraded and at least nine, but under twelve, years of age by September 1 attends more than three-quarters of the instructional time scheduled for the day, except as provided in section 15-797.

(iv) Of the seventh or eighth grades or ungraded and at least twelve, but under fourteen, years of age by September 1 attends more than three-quarters of the instructional time scheduled for the day, except as provided in section 15-797.

(b) For common schools, the attendance of a pupil at three-quarters or less of the instructional time scheduled for the day shall be counted as follows, except as provided in section 15-797 and except that attendance for a fractional student shall not exceed the pupil's fractional membership:

(i) If attendance for all pupils in the school is based on quarter days, the attendance of a pupil shall be counted as one-fourth of a day's attendance for each one-fourth of full-time instructional time attended.

(ii) If attendance for all pupils in the school is based on half days, the attendance of at least three-quarters of the instructional time scheduled for the day shall be counted as a full day's attendance and attendance at a minimum of one-half but less than three-quarters of the instructional time scheduled for the day equals one-half day of attendance.

(c) For common schools, the attendance of a preschool child with disabilities shall be counted as one-fourth day's attendance for each thirty-six minutes of attendance not including lunch periods and recess periods, except as provided in paragraph 2, subdivision (a), item (i) of this subsection for children with disabilities up to a maximum of three hundred sixty minutes each week.

(d) For high schools or ungraded schools in which the pupil is at least fourteen years of age by September 1, the attendance of a pupil shall not be counted as a full day unless the pupil is actually and physically in attendance and enrolled in and carrying four subjects, each of which, if taught each school day for the minimum number of days required in a school year, would meet a minimum of one hundred twenty hours a year, or the equivalent, that count toward graduation in a recognized high school except as provided in section 15-797 and subdivision (e) of this paragraph. Attendance of a pupil carrying less than the load prescribed shall be prorated.

(e) For high schools or ungraded schools in which the pupil is at least fourteen years of age by September 1, the attendance of a pupil may be counted as one-fourth of a day's attendance for each sixty minutes of instructional time in a subject that counts toward graduation, except that attendance for a pupil shall not exceed the pupil's full or fractional membership.

(f) For homebound or hospitalized, a full day of attendance may be counted for each day during a week in which the student receives at least four hours of instruction.

(g) For school districts which maintain school for an approved year-round school year operation, attendance shall be based on a computation, as prescribed by the superintendent of public instruction, of the one hundred seventy-five days' equivalency of instructional time as approved by the superintendent of public instruction during which each pupil is enrolled.

7. "Daily route mileage" means the sum of:

(a) The total number of miles driven daily by all buses of a school district while transporting eligible students from their residence to the school of attendance and from the school of attendance to their residence on scheduled routes approved by the superintendent of public instruction.

(b) The total number of miles driven daily on routes approved by the superintendent of public instruction for which a private party, a political subdivision or a common or a contract carrier is reimbursed for bringing an eligible student from the place of his residence to a school transportation pickup point or to the school of attendance and from the school transportation scheduled return point or from the school of attendance to his residence.

Daily route mileage includes the total number of miles necessary to drive to transport eligible students from and to their residence as provided in this paragraph.

8. "District support level" means the base support level plus the transportation support level.

9. "Eligible students" means:

(a) Students who are transported by or for a school district and who qualify as full-time students or fractional students, except students for whom transportation is paid by another school district or a county school superintendent, and:

(i) For common school students, whose place of actual residence within the school district is more than one mile from the school facility of attendance or STUDENTS WHO ARE ADMITTED PURSUANT TO SECTION 15-816.01 AND who meet the economic eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1785) for free or reduced price lunches and whose actual place of residence outside the school district boundaries is more than one mile from the school facility of attendance.

(ii) For high school students, whose place of actual residence within the school district is more than one and one-half miles from the school facility of attendance or STUDENTS WHO ARE ADMITTED PURSUANT TO SECTION 15-816.01 AND who meet the economic eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1785) for free or reduced price lunches and whose actual place of residence outside the school district boundaries is more than one and one-half miles from the school facility of attendance.

(b) Kindergarten students, for purposes of computing the number of eligible students under subdivision (a), item (i) of this paragraph, shall be counted as full-time students, notwithstanding any other provision of law.

(c) Children with disabilities, as defined by section 15-761, who are transported by or for the school district OR WHO ARE ADMITTED PURSUANT TO CHAPTER 8, ARTICLE 1.1 OF THIS TITLE and who qualify as full-time students or fractional students regardless of location or residence within the school district or children with disabilities whose transportation is required by the pupil's individualized education ~~plan~~ PROGRAM.

(d) Students whose residence is outside the school district and who are transported within the school district on the same basis as students who reside in the school district.

10. "Enrolled" or "enrollment" means when a pupil is currently registered in the school district.

11. "GDP price deflator" means the average of the four implicit price deflators for the gross domestic product reported by the United States department of commerce for the four quarters of the calendar year.

12. "High school district" means a political subdivision of this state offering instruction to students for grades nine through twelve or that portion of the budget of a common school district which is allocated to teaching high school subjects with permission of the state board of education.

13. "Revenue control limit" means the base revenue control limit plus the transportation revenue control limit.

14. "Student count" means average daily membership as prescribed i this subsection for the fiscal year prior to the current year, except th for the purpose of budget preparation student count means average daily membership as prescribed in this subsection for the current year.

15. "Total bus mileage" means the total number of miles driven by all buses of a school district during the school year.

16. "Total students transported" means all eligible students transported from their place of residence to a school transportation pickup point or to the school of attendance and from the school of attendance or from the school transportation scheduled return point to their place of residence.

17. "Unified school district" means a political subdivision of the state offering instruction to students in programs for preschool children with disabilities and kindergarten programs and grades one through twelve.

B. In this title, unless the context otherwise requires:

1. "Base" means the revenue level per student count specified by the legislature.

2. "Base level" means:

(a) For fiscal year 1979-1980, one thousand three hundred forty-two dollars.

(b) For fiscal years 1980-1981, 1981-1982 and 1982-1983, the base level for the prior year increased by a seven per cent growth rate.

(c) For fiscal year 1983-1984, the base level for the prior year increased by a four per cent growth rate.

(d) For fiscal year 1984-1985, the base level for the prior year increased by the growth rate as prescribed in subdivision (f) of this paragraph plus the amount determined by dividing the actual employer contributions as required under title 38, chapter 5, article 1 for certificated employees and employer contributions to the state retirement plan on behalf of certificated employees paid by all school districts for fiscal year 1984-1985 by the actual weighted student count of all school districts for fiscal year 1984-1985.

(e) Beginning with fiscal year 1985-1986, the base level for the prior year increased by the growth rate as prescribed in subdivision (f) of this paragraph.

(f) The legislature shall, after consideration of the impact of the existing growth rate, prescribe the growth rate for the base level for the fiscal year 1984-1985 and for each year thereafter. If the legislature fails to prescribe the growth rate for the budget year by March 1, the growth rate which shall be utilized to adjust the base level for the budget year shall be the percentage growth in the GDP price deflator from the second preceding calendar year to the calendar year immediately preceding the budget year.

3. "Base revenue control limit" means the base revenue control limit computed as provided in section 15-944.

4. "Base support level" means the base support level as provided in section 15-943.

5. "Certified teacher" means a person who is certified as a teacher pursuant to the rules adopted by the state board of education, who renders direct and personal services to school children in the form of instruction related to the school district's educational course of study and who is paid from the maintenance and operation section of the budget.

6. "ED, MIMR, SLD, SLI and OHI" means programs for children with emotional disabilities, mild mental retardation, a specific learning disability, a speech/language impairment and other health impairments.

7. "ED-P" means programs for children with emotional disabilities who are enrolled in private special education programs as prescribed in section 15-765, subsection D, paragraph 1 or in an intensive school district program as provided in section 15-765, subsection D, paragraph 2.

8. "Full-time equivalent certified teacher" or "FTE certified teacher" means for a certified teacher the following:

(a) If employed full time as defined in section 15-501, 1.00.

(b) If employed less than full time, multiply 1.00 by the percentage of a full school day, or its equivalent, or a full class load, or its equivalent, for which the teacher is employed as determined by the governing board.

9. "Group A" means educational programs for career exploration, a specific learning disability, an emotional disability, mild mental retardation, remedial education, a speech/language impairment, homebound, bilingual, preschool moderate delay, preschool speech/language delay, other health impairments and gifted pupils.

10. "Group B" means educational improvements for pupils in kindergarten programs and grades one through three, educational programs for autism, a hearing impairment, moderate mental retardation, multiple disabilities, multiple disabilities with severe sensory impairment, orthopedic impairments, preschool severe delay, severe mental retardation and emotional disabilities for school age pupils enrolled in private special education programs or in school district programs for children with severe disabilities or visual impairment and vocational and technological education pupils enrolled in grades nine through twelve in approved programs as prescribed in section 15-782.01 and limited English proficient pupils enrolled in a program to promote English language proficiency pursuant to section 15-754.

11. "HI" means programs for pupils with hearing impairment.

12. "Homebound" or "hospitalized" means a pupil who is capable of profiting from academic instruction but is unable to attend school due to illness, disease, accident or other health conditions, who has been examined by a competent medical doctor and who is certified by that doctor as being unable to attend regular classes for a period of not less than three school months or a pupil who is capable of profiting from academic instruction but is unable to attend school regularly due to chronic or acute health problems, who has been examined by a competent medical doctor and who is certified by that doctor as being unable to attend regular classes for intermittent periods of time totaling three school months during a school year. The medical certification shall state the general medical condition, such as illness, disease or chronic health condition, that is the reason that the pupil is unable to attend school.

13. "K-3" means kindergarten programs and grades one through three.

14. "LEP" means limited English proficient pupils who are enrolled in a program to promote English language proficiency pursuant to section 15-754.

15. "MD-R, A-R and SMR-R" means resource programs for pupils with multiple disabilities, autism and severe mental retardation.

16. "MD-SC, A-SC and SMR-SC" means self-contained programs for pupils with multiple disabilities, autism and severe mental retardation.

17. "MDSSI" means a program for pupils with multiple disabilities with severe sensory impairment.

18. "MOMR" means programs for pupils with moderate mental retardation.

19. "OI-R" means a resource program for pupils with orthopedic impairments.

20. "OI-SC" means a self-contained program for pupils with orthopedic impairments.

21. "PSD" means preschool programs for children with disabilities as provided in section 15-771.

22. "P-SD" means programs for children who meet the definition of preschool severe delay as provided in section 15-771.

23. "Qualifying tax rate" means the qualifying tax rate specified in section 15-971 applied to the assessed valuation used for primary property taxes.

24. "Small isolated school district" means a school district which meets all of the following:

(a) Has a student count of fewer than six hundred in kindergarten programs and grades one through eight or grades nine through twelve.

(b) Contains no school which is fewer than thirty miles by the most reasonable route from another school, or, if road conditions and terrain make the driving slow or hazardous, fifteen miles from another school which teaches one or more of the same grades and is operated by another school district in this state.

(c) Is designated as a small isolated school district by the superintendent of public instruction.

25. "Small school district" means a school district which meets all of the following:

(a) Has a student count of fewer than six hundred in kindergarten programs and grades one through eight or grades nine through twelve.

(b) Contains at least one school which is fewer than thirty miles by the most reasonable route from another school which teaches one or more of the same grades and is operated by another school district in this state.

(c) Is designated as a small school district by the superintendent of public instruction.

26. "Transportation revenue control limit" means the transportation revenue control limit computed as prescribed in section 15-946.

27. "Transportation support level" means the support level for pupil transportation operating expenses as provided in section 15-945.

28. "VI" means programs for pupils with visual impairments.

29. "Voc. Ed." means vocational and technological education programs, as defined in section 15-781, except that for the purpose of computing the district support level as provided in this title vocational and technological education programs only include approved vocational and technological programs for students in grades nine through twelve as prescribed in section 15-782.01.

Sec. 9. Laws 1994, ninth special session, chapter 2, section 34, is amended to read:

Sec. 34. Open enrollment; pupil transportation; fiscal year 1995-1996

For fiscal year 1995-1996, the governing board of a school district may increase its transportation support level, as provided in section 15-945, Arizona Revised Statutes, and its transportation revenue control limit, as provided in section 15-946, Arizona Revised Statutes, to account for the additional route miles and bus tokens attributable to the pupils for whom transportation is provided pursuant to ~~section 15-816.06, paragraph 3~~ TITLE 15, CHAPTER 8, ARTICLE 1.1, Arizona Revised Statutes, ~~as added by this act,~~ as prescribed by the uniform system of financial records.

Sec. 10. Laws 1994, ninth special session, chapter 2, section 35, is amended to read:

Sec. 35. Delayed effective dates

Sections 15-821~~, 15-823, 15-824, 15-825~~ and 15-973, Arizona Revised Statutes, as amended by this act, are effective from and after June 30, 1995.

Sec. 11. Effective date

Sections 15-823, 15-824 and 15-825, Arizona Revised Statutes, as amended by Laws 1994, ninth special session, chapter 2, sections 10, 11 and 12, are effective on the effective date of this act.

Sec. 12. Emergency

This act is an emergency measure that is necessary to preserve the public peace, health or safety and is operative immediately as provided by law.

APPROVED BY THE GOVERNOR, FEBRUARY 20, 1995

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 21, 1995

ARIZONA STATE BOARD OF EDUCATION

R7-2-316. Charter schools stimulus fund

A. "Start-up costs" mean those costs associated with developing or implementing the following essential components of a charter school:

1. the hiring of teachers and other essential staff members.
2. the hiring of a chief administrative officer and other costs associated with instituting the administrative structure of the school.
3. curriculum development and implementation.
4. the leasing of physical facilities or equipment and costs associated with establishment of utility services and accounts.
5. operational expenses incurred prior to the date on which the charter school begins operations.
6. the development and implementation of an accounting system which complies with the uniform system of financial records requirements.
7. obtaining insurance, including prepayment of premiums which will effectuate insurance coverage during the first year of operation.
8. costs associated with licensing and compliance with other health, safety and civil rights requirements.

B. "Costs associated with renovating or remodeling existing buildings and structures" means those costs associated with the following essential components:

1. modifications affecting the structural integrity of the building, including those changes needed to meet building code and zoning standards.
2. modifications needed to meet non-structural building code requirements, such as those related to plumbing, electrical wiring and fire safety.
3. modifications needed to meet state health standards, such as those related to rest rooms and food preparation and service.
4. adjusting the size of rooms to accommodate the number of students to be served.
5. construction-related finish work, such as exterior and interior replastering and painting, carpeting, flooring, baseboards and door hanging.
6. roofing and air conditioning/heating installation or repair required prior to operation of the school.
7. access requirements for persons with disabilities.

C. The State Board of Education shall, subject to legislative appropriation, provide an initial grant or an additional grant from the charter schools stimulus fund to applicants who have a charter or application that has been approved by a sponsor pursuant to A.R.S. §15-183 and who meet the requirements of A.R.S. §15-188 and this section. The grant may be in any amount up to $100,000 per charter school applicant or charter school.

D. The application for an initial grant shall include:

1. a copy of the applicant's charter.
2. the identity of the sponsor which approved the charter.
3. the total amount of funding requested.
4. an itemization of the specific start up costs and costs associated with renovating or remodeling existing buildings and structures for which the funds will be used. Itemization shall include the amount of funds requested for each essential component and a detailed explanation of the basis for calculating the amount requested.
5. the number of students to be served at the school.
6. the dimensions of the facility in which the school is to be operated.
7. a description of the extent to which the facility must be remodeled or renovated in order to meet applicable health and safety standards, unless this information is included in the applicant's charter.

E. The application for an additional grant shall be in a format approved by the State Board of Education and shall include:

1. the date and amount of the initial grant award.
2. a copy of any amendments or other modifications to the charter or application which formed the basis for the initial grant.
3. the identity of the current sponsor of the charter school.
4. an itemized accounting of the expenditures made with the initial grant monies.
5. the total amount of additional funding requested.
6. an itemization of the specific start up costs or costs associated with renovating or remodeling existing buildings and structures for which the additional funds will be used. Itemization shall include the amount of funds requested for each essential component and a detailed explanation of the basis for calculating the amount requested.

F. In its review of an application for a stimulus fund grant, the State Board of Education may receive information concerning the application from the Department of Education, an advisory committee, and any other source. The State Board may award a grant in an amount different from that requested by the applicant. No grant shall be awarded pursuant to this section unless the State Board determines that:

1. every amount requested in the applicant's itemization of costs is for the essential component with which the amount is associated, and
2. based on all of the information before the State Board concerning the application, there is a rational basis for the award of funds.

G. No applicant or charter school shall be eligible for more than one initial grant and one additional grant, regardless of the amount awarded.

H. An applicant who receives an initial grant and fails to begin operating a charter school within the eighteen months following the date of the award shall reimburse the Department of Education for the amount of the initial grant plus interest calculated at a rate of ten percent per year. Such reimbursement is immediately due and payable at the end of the initial eighteen month period.

I. An applicant who receives an additional grant and fails to begin operating a charter school within the eighteen months following the date of the award shall reimburse the Department of Education for the amount of the initial grant plus interest calculated at a rate of ten percent per year. Such reimbursement is immediately due and payable at the end of the applicable eighteen month period and is in addition to any amounts required by paragraph H.

J. An applicant for a grant pursuant to this rule shall be notified of the date at which the State Board of Education shall consider the application no less than ten days in advance thereof. Written notification of the Board's decision concerning an application for a grant shall be mailed to the applicant within ten days following such decision.

SECTION 6:

SUPPLEMENTAL LEGISLATION AND REGULATIONS

SECTION 6:

SUPPLEMENTAL LEGISLATION AND REGULATIONS

This section of the Handbook is provided for your convenience and to save you time in researching legislation that is pertinent to the Arizona Charter School effort. Permission has been granted by West Publishing Company to reprint selected statutory material from *Arizona's Education Code,* Copyright © 1994. All rights are reserved and additional copies cannot be made without permission from the publisher.

The statutes referenced in **A.R.S. §§ 15-181-189: Charter Schools** are in numerical order, with the exception of 41-1750 (G), to make it easy to find a statute quickly. This section of the Handbook should be reviewed by potential Charter School applicants in combination with **Section 5: Legislation Establishing Charter Schools.**

The State and Federal statutes and regulations applicable to Charter Schools, including those that apply to businesses, employers or schools, are also provided for easy reference. These statutes and regulations can be used as a checklist to ensure all state and federal requirements are met when planning and operating a Charter School. Complete documents are on file for public use in the Charter Schools Office. Specific questions regarding applicability or exceptions should be referred to the Charter School's legal counsel.

Section 6 includes the following:

- § 15-213. Procurement practices of school district; adoption of rules; report; recovery of damages by contractor for delay; civil action; definition
- § 15-271. Duties of auditor general for uniform financial records system; annual report
- § 15-272. Duties of department of education for uniform system of financial records
- § 15-512. Noncertificated personnel; fingerprinting personnel; affidavit
- § 41-1750. Subsection G. Criminal identification section; violation; classification; definition (Fingerprinting)
- § 15-741.01. Goals for excellence

- § 15-746. School report cards
- §§15-761-769, except 765. Special Education for Exceptional Children
- § 15-855. School or school district operation on a year-round school year basis; separate budget
- § 15-901. Definitions
- § 15-902. Determination of student count
- § 15-903. Budget format
- § 15-943. Base support level
- § 15-945. Transportation support level
- § 15-961. Capital outlay revenue limit; growth rate
- § 15-962. Capital levy revenue limit; plan for capital outlay reserve
- § 15-816.01 Transportation provisions has been repealed by H. B. 2019 **(See Section 5: Legislation Establishing Charter Schools for H. B. 2019)**
- State and Federal Statutes and Regulations applicable to Charter Schools

§ 15-213. Procurement practices of school districts; adoption of rules; report; recovery of damages by contractor for delay; civil action; definition

A. The state board of education shall adopt rules prescribing procurement practices for all school districts in this state as follows:

1. The state board shall submit to the auditor general proposed rules consistent with the procurement practices prescribed in title 41, chapter 23,[1] modifying the provisions for public notice of invitation for bids to allow a governing board to give public notice of the invitation for bids by publication in the official newspaper of the county as defined in § 11-255, modifying the provisions relating to disposal of materials to comply with § 15-342, paragraph 18, providing for governing board delegation of procurement authority and modifying as necessary other provisions which the state board determines are not appropriate for school districts, for all construction which exceeds fifteen thousand dollars in total cost, for all materials which exceed ten thousand dollars in total cost and for all services which exceed ten thousand dollars in total cost. The rules shall include provisions specifying that school districts are not required to engage in competitive bidding in order to make the decision to participate in programs pursuant to § 15-382 for the purchase of health and accident insurance and related employee benefits when such programs comply with competitive bidding requirements for the subsequent purchase of reinsurance or for the joint purchase of insurance or reinsurance. The rules for procurement of construction projects shall include provisions specifying that surety bonds furnished as bid security and performance and payment bonds shall be executed and furnished as required by title 34, chapter 2.[2]

2. The auditor general shall review the proposed rules to determine whether the rules are consistent with the procurement practices prescribed in title 41, chapter 23 and any modifications are required to adapt the procedures for school districts.

3. If the auditor general approves the proposed rules, he shall notify the state board in writing and the state board shall adopt such rules.

4. If the auditor general objects to the proposed rules, he shall notify the state board of the objections in writing and the state board, in adopting the rules, shall conform the proposed rules to meet the objections of the auditor general or revise the proposed rules to which an objection has been made and submit the revisions to the auditor general for approval.

B. After the bids are opened and the award is made, the governing board shall make available for public inspection all information and bids submitted by bidders, findings and other information considered in determining whose bid conforms to the invitation for bids and will be the most advantageous with respect to price, conformity to the specifications and other factors. The invitation for bids shall include a notice that all information and bids submitted by bidders will be made available for public inspection. The rules adopted by the state board shall prohibit the use in connection with procurement of specifications in any way proprietary to one supplier unless the specification includes all of the following:

1. A statement of the reasons why no other specification is practicable.

2. A description of the essential characteristics of the specified product.

3. A statement specifically permitting an acceptable alternative product to be supplied.

C. No project or purchase may be divided or sequenced in order to avoid the limits prescribed by the state board under subsection A of this section.

D. A contract for the procurement of construction shall include a provision which provides for negotiations between the school district and the contractor for the recovery of damages related to expenses incurred by the contractor for a delay for which the school district is responsible, which is unreasonable under the circumstances and which was not within the contemplation of the parties to the contract. This section shall not be construed to void any provision in the contract which requires notice of delays, provides for arbitration or other procedure for settlement or provides for liquidated damages.

E. The attorney general may seek relief for any violation of this section or rule adopted pursuant to this section through any appropriate civil action including an action to enjoin a threatened or pending violation of this section.

F. For the purposes of this section, "total cost" means the cost of all materials and services, including the cost of labor performed by employees of the school district, for all construction as provided in subsection A of this section.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1984, Ch. 80, § 1; Laws 1984, Ch. 251, § 6, eff. Jan. 1, 1985; Laws 1985, Ch. 31, § 2, eff. April 2, 1985; Laws 1986, Ch. 17, § 1; Laws 1987, Ch. 266, § 1; Laws 1987, Ch. 293, § 1, eff. May 13, 1987; Laws 1989, Ch. 273, § 1, eff. June 26, 1989; Laws 1991, Ch. 138, § 1; Laws 1991, Ch. 319, § 1; Laws 1994, Ch. 194, § 1.

[1] Section 41-2501 et seq.

[2] Section 34-201 et seq.

§ 15-271. Duties of auditor general for uniform financial records system; annual report

A. The auditor general shall determine the accounting systems, accounting methods and accounting procedures for utilization by school districts.

B. The auditor general in conjunction with the state board of education shall prescribe a uniform system of financial records for utilization by all school districts each fiscal year.

C. The uniform system of financial records prescribed by the auditor general shall:

1. Provide for adjustment in consideration of existing capabilities available at a reasonable cost to school districts.

2. Allow schools to maintain necessary records at a minimum cost.

3. Prescribe guidelines applicable to procurement practices for use by school districts for amounts less than those prescribed in § 15-213, subsection A.

4. Prescribe methods for the apportionment of revenues, including apportionment of various revenues to maintenance and operations, capital outlay and adjacent ways.

5. Provide the department of education, the auditor general, the governor and the legislature with sufficient uniform information to assist in determining equitable distribution of state aid to school districts.

6. Provide information including at a minimum:

(a) The student count and maintenance and operation expenditures with separate subsections for regular education programs, special education programs and operating expenditures for pupil transportation.

(b) Capital outlay expenditures.

(c) Debt service and special projects of all school districts.

D. The auditor general shall inform any school district which fails to establish and maintain the uniform system of financial records and shall detail in writing the deficiencies of the school district system giving the district ninety days to correct the deficiencies.

E. The auditor general shall report to the department of education any school district which either fails to establish and maintain the uniform system of financial records prescribed by the auditor general or fails to correct deficiencies in the system within ninety days after receiving notice of the deficiencies.

F. A school district may but shall not be required to maintain or provide financial records other than those prescribed by the auditor general.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1981, Ch. 69, § 1; Laws 1984, Ch. 80, § 2; Laws 1985, Ch. 31, § 3, eff. April 2, 1985; Laws 1985, Ch. 166, § 2, eff. April 18, 1985; Laws 1986, Ch. 125, § 1, eff. April 18, 1986; Laws 1993, Ch. 202, § 4, eff. April 21, 1993.

§ 15-272. Duties of department of education for uniform system of financial records

A. The department of education shall advise and consult with the auditor general in the preparation and implementation of a uniform system of financial records.

B. The state board of education shall upon report from the auditor general determine whether school districts are maintaining the uniform system of financial records. If the state board of education determines that a school district is not in compliance with the uniform system of financial records or has failed to correct a deficiency within ninety days after receiving notice from the auditor general, the superintendent of public instruction shall, unless a hearing is requested pursuant to subsection C, withhold further distribution of state funds to the school district from the date of the determination until such time as the auditor general reports compliance with the uniform system of financial records. The auditor general and the department of education shall assist the school district to achieve compliance during such period and may grant a further extension of time if more than ninety days are necessary to bring the school district's system into compliance with the uniform system of financial records.

C. If the state board of education determines that a school district is not in compliance with the uniform system of financial records, the school district may request a hearing before the board, which hearing shall be held in accordance with title 41, chapter 6.[1] The superintendent of public instruction shall not withhold distribution of state funds until such time as the hearing, if requested, is completed and the board has found that the school district is not in compliance with the uniform system of financial records.

D. The decision of the state board of education is subject to judicial review in accordance with title 12, chapter 7, article 6.[2] If an appeal is taken by the school district from the ruling of the state board of education, the superintendent of public instruction shall not withhold distribution of state funds until a decision is rendered on the appeal.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1981, Ch. 314, § 4; Laws 1986, Ch. 232, § 26, eff. Jan. 1, 1987; Laws 1987, Ch. 62, § 1.

[1] Section 41-1001 et seq.

[2] Section 12-901 et seq.

§ 15-512. Noncertificated personnel; fingerprinting personnel; affidavit

A. Noncertificated personnel and personnel who are not paid employees of the school district and who are not either the parent or the guardian of a pupil who attends school in the school district but who are required or allowed to provide services directly to pupils without the supervision of a certificated employee and who are initially hired by a school district after January 1, 1990 shall be fingerprinted as a condition of employment except for personnel who are required as a condition of licensing to be fingerprinted if the license is required for employment, personnel who were previously employed by another school district and who were required as a condition of employment to be fingerprinted or personnel who were previously employed by a school district and who reestablished employment with that district within one year after the date that the employee terminated employment with the district. A school district may release the results of a background check to another school district for employment purposes. The employee's fingerprints and the form prescribed in subsection D of this section shall be submitted to the school district within twenty days after the date an employee begins work. A school district may terminate an employee if the information on the form provided under subsection D of this section is inconsistent with the information received from the fingerprint check. The school district shall develop procedures for fingerprinting employees. For the purposes of this subsection, "supervision" means under the direction of and, except for brief periods of time during a school day or a school activity, within sight of a certificated employee when providing direct services to pupils.

B. Fingerprint checks shall be conducted pursuant to § 41-1750, subsection G.

C. The school district shall assume the costs of fingerprint checks and may charge these costs to its fingerprinted employee, except that the school district may not charge the costs of the fingerprint check to personnel of the school district who are not paid employees. The fees charged for fingerprinting shall be deposited with the county treasurer who shall credit the deposit to the fingerprint fund of the school district. The costs charged to a fingerprinted employee are limited to and the proceeds in the fund may only be applied to the actual costs, including personnel costs, incurred as a result of the fingerprint checks. The fingerprint fund is a continuing fund which is not subject to reversion.

D. Personnel required to be fingerprinted as prescribed in subsection A of this section shall certify on forms that are provided by the school and notarized whether they are awaiting trial on or have ever been convicted of or admitted in open court or pursuant to a plea agreement committing any of the following criminal offenses in this state or similar offenses in another jurisdiction:

1. Sexual abuse of a minor.
2. Incest.
3. First or second degree murder.
4. Kidnapping.
5. Arson.
6. Sexual assault.

7. Sexual exploitation of a minor.

8. Felony offenses involving contributing to the delinquency of a minor.

9. Commercial sexual exploitation of a minor.

10. Felony offenses involving sale, distribution or transportation of, offer to sell, transport, or distribute or conspiracy to sell, transport or distribute marijuana or dangerous or narcotic drugs.

11. Felony offenses involving the possession or use of marijuana, dangerous drugs or narcotic drugs.

12. Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs.

13. Burglary in the first degree.

14. Burglary in the second or third degree.

15. Aggravated or armed robbery.

16. Robbery.

17. A dangerous crime against children as defined in § 13-604.01.

18. Child abuse.

19. Sexual conduct with a minor.

20. Molestation of a child.

21. Voluntary manslaughter.

22. Aggravated assault.

23. Assault.

24. Exploitation of minors involving drug offenses.

E. A school district may refuse to hire or may review or terminate personnel who have been convicted of or admitted committing any of the criminal offenses prescribed in subsection D of this section or of a similar offense in another jurisdiction. A school district which is considering terminating an employee pursuant to the provisions of this subsection shall hold a hearing to determine whether a person already employed shall be terminated. In conducting a review, the governing board shall utilize the guidelines, including the list of offenses that are not subject to review, as prescribed by the state board of education pursuant to § 15-534, subsection G. In considering whether to hire or terminate the employment of a person the governing board shall take into account the following factors:

1. The nature of the crime and the potential for crimes against children.

2. Offenses committed as a minor for which proceedings were held under the jurisdiction of a juvenile or an adult court.

3. Offenses that have been expunged by a court of competent jurisdiction, if the person has been pardoned or if the person's sentence has been commuted.

4. The employment record of the person since the commission of the crime if the crime was committed more than ten years before the governing board's consideration of whether to hire or terminate the person.

5. The reliability of the evidence of an admission of a crime unless made under oath in a court of competent jurisdiction.

F. Before employment with the school district, the district shall make documented, good faith efforts to contact previous employers of a person to obtain information and recommendations which may be relevant to a person's fitness for employment. For certificated personnel, the district shall also contact the department of education to obtain information contained in the person's certification record which may be relevant to the person's fitness for employment. A school district shall provide information received as a result of a fingerprint check required by this section to any other school district if requested to do so by the person who was the subject of the fingerprint check. The department of education and previous employers who provide information pursuant to this subsection are immune from civil liability unless the information provided is false and is acted on to the harm of the employee by the school district and the previous employer or the department of education knows the information is false or acts with reckless disregard of the information's truth or falsity. A school district which relies on information obtained pursuant to this subsection in making employment decisions is immune from civil liability for use of the information unless the information obtained is false and the school district knows the information is false or acts with reckless disregard of the information's truth or falsity.

G. A school district may fingerprint any other employee of the district, whether paid or not, or any other applicant for employment with the school district not otherwise required by this section to be fingerprinted on the condition that the school district may not charge the costs of the fingerprint check to the fingerprinted applicant or nonpaid employee.

H. Notwithstanding any other law, this section does not apply to pupils who attend school in a school district and who are also employed by a school district.

Added by Laws 1989, Ch. 115, § 1. Amended by Laws 1990, Ch. 291, § 1, eff. June 13, 1990; Laws 1992, Ch. 136, § 1; Laws 1992, Ch. 247, § 2; Laws 1993, Ch. 39, § 1.

G. All noncriminal justice agencies of the federal government, the state or its political subdivisions may receive criminal history record information from the department of public safety criminal identification section pursuant to specific authority granted to that agency by statute, ordinance, or executive order which states the agency's authorization to receive criminal history record information for purposes of employment or licensing, in accordance with subsection F of this section. Except as provided in subsection H of this section, each state regulatory agency and political subdivision shall charge a fee, in addition to any other fees prescribed by law, in an amount necessary to cover the cost of federal fingerprint processing or federal criminal history record information checks which are authorized by law for employment or licensing. The state regulatory agency or political subdivision shall transmit the monies collected to the criminal identification section and the section shall forward the monies to the state treasurer for deposit in the state general fund subject to subsection I of this section. Whenever a person must be fingerprinted by two or more state agencies or departments pursuant to §§ 8-105, 8-230.02, 36-883.02, 41-2814, 41-1964, 46-141 or 46-321, one set of fingerprints may be submitted to the department of public safety. The fee prescribed by this subsection shall be submitted to the department of public safety with the fingerprints. The fingerprint card shall state each state agency or department requiring fingerprinting and shall cite the statute authorizing the fingerprinting for each agency or department. The department of public safety shall provide the criminal history record information to each agency or department listed on the card.

§ 15-741.01. Goals for excellence

A. Based on the data reported on the report cards as prescribed in this article, the state board shall adopt specific state level objectives for each of the following goal areas:

1. Achievement levels of pupils at the end of grade three, grade eight and grade twelve.

2. Dropout and high school graduation rates.

3. Postsecondary employment and college enrollment rate.

B. Local district governing boards shall establish specific district level objectives and shall prescribe a method for schools in the district to establish school level objectives for the goal areas in subsection A, as prescribed by the state board.

C. The state board shall publish in the appropriate report cards the objectives written by the state, the districts and the schools, and the state board, districts and schools shall review and revise, if needed, their own objectives annually.

Added by Laws 1990, Ch. 233, § 9, eff. July 1, 1991.

§ 15–746. School report cards

A. Each school shall distribute an annual report card that contains at least the following information:

1. A description of the school's regular, magnet and special instructional programs.

2. A description of the current academic goals of the school.

3. A summary of the results achieved by pupils enrolled at the school during the prior three school years as measured by essential skills tests and the nationally standardized norm-referenced achievement test as designated by the state board and as reported in the annual report prescribed by § 15–743.

4. The attendance rate of pupils enrolled at the school as reflected in the school's average daily membership as defined in § 15–901.

5. The number of incidents that occurred on the school grounds and that required the intervention of local, state or federal law enforcement.

6. The percentage of pupils who have either graduated to the next grade level or graduated from high school.

7. A description of the social services available at the school site.

8. The school calendar including the length of the school day and hours of operations.

9. The total number of pupils enrolled at the school during the previous school year.

10. The transportation services available.

11. A description of the responsibilities of parents of children enrolled at the school.

12. A description of the responsibilities of the school to the parents of the children enrolled at the school including dates the report cards are delivered to the home.

13. A description of the composition and duties of the school council as prescribed in § 15–351 if such a school council exists.

B. The department of education shall develop a standardized report card format that meets the requirements of subsection A of this section. The department shall modify the standardized report card as necessary on an annual basis. The department shall distribute to each school in this state a copy of the standardized report card that includes the required test scores for each school. Additional copies of the standardized report card shall be available on request.

C. After each school has completed the report card distributed to it by the department of education, the school, in addition to distributing the report card as prescribed in subsection A of this section, shall send a copy of the report card to the department. The department shall prepare an annual report that contains the report card from each school in this state.

D. The school shall distribute report cards to parents of pupils enrolled at the school and shall present a summary of the contents of the report cards at an annual public meeting held at the school. The school shall give notice at least two weeks before the public meeting that clearly states the purposes, time and place of the meeting.

Added by Laws 1994, 9th S.S., Ch. 2, § 7.

ARTICLE 4. SPECIAL EDUCATION FOR EXCEPTIONAL CHILDREN

§ 15-761. Definitions

In this article, unless the context otherwise requires:

1. "Autism" means a developmental disability that significantly affects verbal and nonverbal communication and social interaction, that is generally evident before the age of three and that adversely affects educational performance. Characteristics include irregularities and impairments in communication, engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines and unusual responses to sensory experiences. Autism does not include children with characteristics of emotional disability as defined in this section.

2. "Child with a disability" means a child who is at least three but less than twenty-two years of age, who has been evaluated pursuant to § 15-766 and found to have at least one of the following disabilities and who, because of the disability, needs special education and related services:

(a) Autism.

(b) Emotional disability.

(c) Hearing impairment.

(d) Other health impairments.

(e) Specific learning disability.

(f) Mild, moderate or severe mental retardation.

(g) Multiple disabilities.

(h) Multiple disabilities with severe sensory impairment.

(i) Orthopedic impairment.

(j) Preschool moderate delay.

(k) Preschool severe delay.

(*l*) Preschool speech/language delay.

(m) Speech/language impairment.

(n) Traumatic brain injury.

(*o*) Visual impairment.

3. "Educational disadvantage" means a condition which has limited a child's opportunity for educational experience resulting in a child, who does not have a disability as defined in this section, achieving less than a normal level of learning development.

4. "Eligibility for special education" means the pupil must have one of the disabilities contained in paragraph 2 of this section and must also require special education services in order to benefit from an educational program.

5. "Emotional disability":

(a) Means a condition whereby a child exhibits one or more of the following characteristics over a long period of time and to a marked degree that adversely affects the child's performance in the educational environment:

(i) An inability to learn which cannot be explained by intellectual, sensory or health factors.

(ii) An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.

(iii) Inappropriate types of behavior or feelings under normal circumstances.

(iv) A general pervasive mood of unhappiness or depression.

(v) A tendency to develop physical symptoms or fears associated with personal or school problems.

(b) Includes children who are schizophrenic but does not include children who are socially maladjusted unless they are also determined to have an emotional disability as determined by evaluation as provided in § 15–766.

6. "Exceptional child" means a gifted child or a child with a disability.

7. "Gifted child" means a child who is of lawful school age, who due to superior intellect or advanced learning ability, or both, is not afforded an opportunity for otherwise attainable progress and development in regular classroom instruction and who needs special instruction or special ancillary services, or both, to achieve at levels commensurate with his intellect and ability.

8. "Hearing impairment" means a hearing impairment, as determined by evaluation pursuant to § 15–766, which interferes with the child's performance in the educational environment and requires the provision of special education and related services.

9. "Home school district" means the school district in which the person resides who has legal custody of the child, as provided in § 15–824, subsection B. If the child is a ward of the state and a specific person does not have legal custody of the child, the home school district is the district that the child last

BEST COPY AVAILABLE

attended or, if the child has not previously attended a public school in this state, the school district within which the child currently resides.

10. "Individualized education program" means a written statement for providing special education services to a child with a disability that includes the pupil's present levels of educational performance, the annual goals and the short-term measurable objectives for evaluating progress toward those goals and the specific special education and related services to be provided.

11. "Individualized education program team" means a team of persons who are knowledgeable about the child, including the parent, and whose task is to write an appropriate educational program for the child, based on the evaluation results.

12. "Mental retardation" means a significant impairment of general intellectual functioning that exists concurrently with deficits in adaptive behavior and that adversely affects the child's performance in the educational environment.

13. "Mild mental retardation" means performance on standard measures of intellectual and adaptive behavior between two and three standard deviations below the mean for children of the same age.

14. "Moderate mental retardation" means performance on standard measures of intellectual and adaptive behavior between three and four standard deviations below the mean for children of the same age.

15. "Multidisciplinary evaluation team" means a team of persons, including at least one teacher or other specialist with knowledge in the area of the suspected disability, that determines whether a child is eligible for special education based on evaluation results.

16. "Multiple disabilities" means learning and developmental problems resulting from multiple disabilities as determined by evaluation pursuant to § 15-766 that cannot be provided for adequately in a program designed to meet the needs of children with less complex disabilities. Multiple disabilities include any of the following conditions that require the provision of special education and related services:

(a) Two or more of the following conditions:

(i) Hearing impairment.

(ii) Orthopedic impairment.

(iii) Moderate mental retardation.

(iv) Visual impairment.

(b) A child with a disability listed in subdivision (a) of this paragraph existing concurrently with a condition of mild mental retardation, emotional disability or specific learning disability.

17. "Multiple disabilities with severe sensory impairment" means multiple disabilities that include at least one of the following:

(a) Severe visual impairment or severe hearing impairment in combination with another severe disability.

(b) Severe visual impairment and severe hearing impairment.

18. "Orthopedic impairment" means one or more severe orthopedic impairments and includes those that are caused by congenital anomaly, disease and other causes, such as amputation or cerebral palsy, and that adversely affect a child's performance in the educational environment.

19. "Other health impairments" means limited strength, vitality or alertness due to chronic or acute health problems which adversely affect a pupil's educational performance.

20. "Out-of-home care" means the placement of a child with a disability outside of the home environment and includes twenty-four hour residential care, group care or foster care on either a full-time or part-time basis.

21. "Parent" means the natural or adoptive parent of a child, the legal guardian of a child, a relative with whom a child resides and who is acting as the parent of that child or a surrogate parent who has been appointed for a child pursuant to § 15-763.01.

22. "Preschool child" means a child who is at least three years of age but who has not reached the required age for kindergarten, subject to § 15-771, subsection F.

23. "Preschool moderate delay" means performance by a preschool child on a norm-referenced test that measures at least one and one-half, but not more than three, standard deviations below the mean for children of the same chronological age in two or more of the following areas:

(a) Cognitive development.

(b) Physical development.

(c) Communication development.

(d) Social or emotional development.

(e) Adaptive development.

The results of the norm-referenced measure must be corroborated by information from a comprehensive developmental assessment and from parental input, if available, as measured by a judgment based assessment or survey. If there is a discrepancy between the measures, the evaluation team shall determine eligibility based on a preponderance of the information presented.

24. "Preschool severe delay" means performance by a preschool child on a norm-referenced test that measures more than three standard deviations below the mean for children of the same chronological age in one or more of the following areas:

(a) Cognitive development.

(b) Physical development.

(c) Communication development.

(d) Social or emotional development.

(e) Adaptive development.

The results of the norm-referenced measure must be corroborated by information from a comprehensive developmental assessment and from parental input, if available, as measured by a judgment based assessment or survey. If there is a discrepancy between the measures, the evaluation team shall determine eligibility based on a preponderance of the information presented.

25. "Preschool speech/language delay" means performance by a preschool child on a norm-referenced language test that measures at least one and one-half standard deviations below the mean for children of the same chronological age or whose speech, out of context, is unintelligible to a listener who is unfamiliar with the child. Eligibility under this paragraph is appropriate only if a comprehensive developmental assessment or norm-referenced assessment and parental input indicate that the child is not eligible for services under another preschool category. The evaluation team shall determine eligibility based on a preponderance of the information presented.

26. "Prior written notice" means notice that includes a description of the action proposed or refused by the school, an explanation of why the school proposes or refuses to take the action, a description of any options the school considered and the reasons why those options were rejected, a description of each evaluation procedure, test, record or report the school used as a basis for the proposal or refusal, a description of any other factors that were relevant to the school's proposal or refusal and a full explanation of all of the procedural safeguards available to the parent.

27. "Related services" means those supportive services that are required to assist a child with a disability who is eligible to receive special education services in order for the child to benefit from special education.

28. "Residential special education placement" means the placement of a child with a disability in a public or private residential program, as provided in § 15-765, subsection G, in order to provide necessary special education and related services as specified in the child's individualized education program.

29. "Severe mental retardation" means performance on standard measures of intellectual and adaptive behavior measures at least four standard deviations below the mean for children of the same age.

30. "Special education" means the adjustment of the environmental factors, modification of the course of study and adaptation of teaching methods, materials and techniques to provide educationally for those children who are gifted or disabled to such an extent that they need special education in order to receive educational benefit. Difficulty in writing, speaking or understanding the English language due to an environmental background wherein a language other than English is spoken primarily or exclusively shall not be considered a disability that requires special education.

31. "Special education referral" means a written request for an evaluation to determine whether a pupil is eligible for special education services that, for

referrals not initiated by a parent, includes documentation of appropriate efforts to educate the pupil in the regular education program.

32. "Specific learning disability" means a specific learning disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. The term includes such conditions as perceptual disabilities, minimal brain dysfunction, dyslexia and aphasia. The term does not include learning problems which are primarily the result of visual, hearing, motor or emotional disabilities, of mental retardation or of environmental, cultural or economic disadvantage.

33. "Speech/language impairment" means a communication disorder such as stuttering, impaired articulation, severe disorders of syntax, semantics or vocabulary, or functional language skills, or a voice impairment, as determined by evaluation pursuant to § 15-766, to the extent that it calls attention to itself, interferes with communication or causes a child to be maladjusted.

34. "State placing agency" has the same meaning as prescribed in § 15-1181.

35. "Surrogate parent" means a person who has been appointed by the court pursuant to § 15-763.01 in order to represent a child in decisions regarding special education.

36. "Traumatic brain injury" means an acquired injury to the brain that is caused by an external physical force and that results in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term applies to open or closed head injuries resulting in mild, moderate or severe impairments in one or more areas, including cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing and speech. The term does not include brain injuries that are congenital or degenerative or brain injuries induced by birth trauma.

37. "Visual impairment" means a visual impairment, as determined by evaluation pursuant to § 15-766, that interferes with the child's performance in the educational environment and that requires the provision of special education and related services.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1984, Ch. 72, § 1; Laws 1986, Ch. 298, § 1, eff. May 6, 1986; Laws 1987, Ch. 363, § 1, eff. May 22, 1987; Laws 1988, Ch. 281, § 1; Laws 1989, Ch. 15, § 2; Laws 1990, Ch. 207, § 1; Laws 1990, Ch. 258, § 1; Laws 1991, Ch. 173, § 4; Laws 1991, Ch. 209, § 1; Laws 1991, Ch. 257, § 5; Laws 1992, Ch. 172, § 6; Laws 1993, Ch. 189, § 2; Laws 1994, Ch. 91, § 1, eff. April 12, 1994.

Historical and Statutory Notes

Laws 1979, Ch. 181 [which amended former § 15-1011], § 4 provides:

"The provisions of § 15-1011, Arizona Revised Statutes, as amended by § 3 of this act shall become effective from and after June 30, 1980."

Laws 1986, Ch. 298, § 4, effective May 6, 1986, provides:

"**Sec. 4. Budget for fiscal year 1986-1987**

"Governing boards of school districts shall budget for fiscal year 1986-1987 using the provisions of § 15-761, Arizona Revised Statutes, as amended by this act."

Laws 1987, Ch. 363, § 27, effective May 22, 1987, provides:

"**Sec. 27. Budgeting for MHSSI pupils beginning with fiscal year 1988-1989**

"Notwithstanding §§ 15-761, 15-901 and 15-943, Arizona Revised Statutes, as amended by this act, school district governing boards may enroll pupils in a multiple handicapped with severe sensory impairment program beginning with fiscal year 1987-1988, but no pupils may be budgeted in that category until the 1988-1989 budget year."

Laws 1988, Ch. 281, § 11 provides:

"**Sec. 11. Budgeting for preschool handicapped pupils beginning with fiscal year 1989-1990**

"Notwithstanding §§ 15-761, 15-901, 15-943, 15-961, 15-962 and 15-971, Arizona Revised Statutes, as amended by this act, school district governing boards may budget for preschool handicapped pupils beginning with fiscal year 1989-1990 as provided in this act."

Reviser's Notes:

1990 Note. This section contains the amendments made by Laws 1990, Ch. 207, § 1 and Ch. 258, § 1 which were blended together as shown above pursuant to authority of § 41-1304.03.

1991 Note. Prior to the 1992 amendment, this section contained the amendments made by Laws 1991, Ch. 173, sec. 4 and Ch. 209, sec. 1 and Ch. 257, sec. 5 that were blended together pursuant to authority of § 41-1304.03.

1992 Note. Pursuant to authority § 41-1304.02, paragraph 15 was renumbered as paragraph 14 and the remaining paragraphs were renumbered to conform in order to correct a manifest clerical error.

§ 15-762. Division of special education

The division of special education as provided in chapter 2, article 2[1] of this title shall carry out the provisions of this article subject to the superintendent of public instruction.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981.

[1] Section 15-231 et seq.

§ 15-763. Plan for providing special education

All school districts shall develop a district plan for providing special education to all handicapped children within the district and submit it to the state board of education for approval. All handicapped children shall receive special education programming commensurate with their abilities and needs.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1981, Ch. 314, § 13.

§ 15-763.01. Surrogate parent; appointment

A. A petition for the appointment of a surrogate parent for a handicapped child shall be made to a court of competent jurisdiction if any of the following conditions have been met:

1. No parent can be identified.
2. A public agency cannot determine the whereabouts of a parent, after having made three documented and reasonable attempts.
3. The child is a ward of the state.

B. In order for a person to be eligible to receive an appointment as a surrogate parent for a handicapped child all of the following must be true:

1. The person shall be determined by the court to possess knowledge and skills that will ensure adequate representation of the child.

2. The person may not be an employee of a state agency if that agency is involved in the education or care of the child.

3. The person may not have any interests that would conflict with the best interests of the child.

C. A foster parent may petition the court to receive an appointment as a surrogate parent for a handicapped child. The court is responsible for determining whether a particular individual is able to act as a foster parent and also represent the best interest of the child as a surrogate parent.

D. A person who is appointed as a surrogate parent for a handicapped child shall not be deemed to be an employee of the state solely as a result of serving as a surrogate parent and receiving compensation for that service.

Added by Laws 1991, Ch. 209, § 2.

§ 15–764. Powers of the school district governing board or county school superintendent

A. The governing board of each school district or the county school superintendent shall:

1. Provide special education and related services for all children with disabilities and make such programs and services available to all eligible children with disabilities who are at least three but less than twenty-two years of age.

2. Employ supportive special personnel, which may include a director of special education, for the operation of special school programs and services for exceptional children.

3. To the extent appropriate, educate children with disabilities in the regular education classes. Special classes, separate schooling or other removal of children with disabilities from the regular educational environment shall occur only if, and to the extent that, the nature or severity of the disability is such that education in regular classes, even with the use of supplementary aids and services, cannot be accomplished satisfactorily.

4. Provide necessary specialized transportation in connection with any educational program, class or service as required by the pupil's individualized education program.

5. Establish policy with regard to allowable pupil-teacher ratios and pupil-staff ratios within the school district or county for provision of special education services.

B. The special education programs and services established pursuant to this section and § 15–765 shall be conducted only in a school facility which houses regular education classes or in other facilities approved bv the division of special education.

C. The governing board of each school district shall provide special education to gifted pupils identified as provided in § 15–770. Special education for gifted pupils shall only include expanding academic course offerings and supplemental services as may be required to provide an educational program which is commensurate with the academic abilities and potentials of the gifted pupil.

D. The governing board may modify the course of study and adapt teaching methods, materials and techniques to provide educationally for those pupils who are gifted and possess superior intellect or advanced learning ability, or both, but may have an educational disadvantage resulting from a disability or a difficulty in writing, speaking or understanding the English language due to an environmental background wherein a language other than English is primarily or exclusively spoken. Programs and services provided for gifted pupils as provided in this subsection may not be separate from programs provided for other gifted pupils, and may not be provided in facilities separate from the facilities used for other gifted pupils. Identification of gifted pupils as provided in this subsection shall be based on tests or subtests that are demonstrated to be effective with special populations including those with a disability or difficulty with the English language.

E. The governing body of each school district, county or agency involved in intergovernmental agreements may:

1. In cooperation with another school district or districts, establish special education programs for exceptional children. When two or more governing bodies determine to carry out by joint agreement the duties in regard to the special education programs for exceptional children, the governing bodies shall, in accordance with state law and the rules of the division of special education, establish a written agreement for the provision of services. In such agreements, one governing body of each school district, agency involved in intergovernmental agreements or the county shall administer the program in accordance with the contract agreement between the school districts. Tuition students may be included in the agreement. The agreement may also include lease-purchase of facilities for the special education programs for exceptional children.

2. Establish work-experience programs in accordance with rules of the division of special education. The work-experience programs shall consist of classroom instruction, evaluation, training and part-time employment. The evaluation, training and part-time employment may take place on or off the school campus, in or out of the school district, but must be under supervision of certified school personnel. Students enrolled in the work-experience program shall be at least sixteen years of age. Time in a work-experience program shall be counted as attendance at school to qualify for appropriations provided by § 15–769. All work-experience programs must have the approval of the division of special education.

F. The county school superintendent may, upon approval of the division of special education, establish special education programs in the county accommodation schools under the jurisdiction of the superintendent or may cooperate with other school districts by agreement to provide such services for such special programs in accordance with the rules of the division of special education. At the beginning of each school year the county school superintendent shall present an estimate of the current year's accommodation school exceptional programs tuition cost to each school district that has signed an agreement to use the services of the accommodation school. The tuition shall be the estimated per capita cost based on the number of pupils that each school district has estimated will enroll in the program, and the school district shall pay the tuition quarterly in advance on July 1, October 1, January 1 and April 1. Increases in enrollment during the school year over the school district's estimate of July 1 shall cause the tuition charges to be adjusted accordingly. In the event of overpayment by the school district of residence, the necessary adjustment shall be made at the close of the school year.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1982, Ch. 169, § 2; Laws 1983, Ch. 325, § 9; Laws 1984, Ch. 282, § 1; Laws 1984, Ch. 379, § 10; Laws 1986, Ch. 250, § 3; Laws 1989, Ch. 273, § 9, eff. June 26, 1989; Laws 1991, Ch. 173, § 5; Laws 1991, Ch. 257, § 6; Laws 1992, Ch. 172, § 7.

Historical and Statutory Notes

Reviser's Notes:

1984 Note. Prior to the 1986 amendment, this section contained the amendments made by Laws 1984, Ch. 282, § 1, and Ch. 379, § 10 which were blended together pursuant to authority of § 41-1304.03.

1991 Note. Prior to the 1992 amendment, this section contained the amendments made by Laws 1991, Ch. 173, sec. 5 and Ch. 257, sec. 6 that were blended together pursuant to authority of § 41-1304.03.

§ 15-766. Evaluation of child for placement in special education prog definition

A. A special education referral shall be made under the direction of the chief administrative official of the school district or county, or such person officially designated as responsible for special education, after consultation with the parent or guardian.

B. Before a child is placed in a special education program an evaluation shall be made of the capabilities and limitations of the child. The evaluation shall be made by a team or group of professional education evaluation specialists with expertise in areas relevant to the child's disabilities or suspected disabilities and under the direction of the chief administrative official of the school district or county or such person officially designated as responsible for special education. The results of the comprehensive evaluation shall be considered by the multidisciplinary evaluation team in determining a pupil's eligibility for special education. The school district or county may conduct joint educational evaluations, directly or indirectly with the department of economic security, the department of health services, the department of youth treatment and rehabilitation and the juvenile courts, or the school district may contract with any state agency or department for all or a portion of the components of the educational evaluations required by this section. The determination of eligibility for special education services is solely the responsibility of the multidisciplinary evaluation team. The evaluation pursuant to this section shall contain in writing, but is not limited to:

1. Reason for referral.

2. Educationally relevant medical information.

3. Educational history of the child including complete documentation of efforts to educate the child in the regular classroom.

4. Determination whether the child's educational problems are related to or resulting from reasons of educational disadvantage.

5. Developmental history of the child.

6. Types of tests administered to the child and results of such tests.

7. Other relevant information provided by the parent.

8. General recommendations regarding areas to be addressed in the child's educational program.

C. The results of the evaluation shall be submitted in writing and with recommendations to the chief administrative official of the school district or county or to such person designated by him as responsible for special education.

D. Any of the educational evaluation components enumerated in subsection B that are less than three years old and are appropriate to consider under the specific circumstances may be shared by and among state agencies for the purpose of expediting completion of the evaluation and placement process.

E. In determining placement the following persons shall be consulted by the chief administrative official of the school district or county or such person officially designated as responsible for special education:

1. The school principal.

2. A person responsible for administering or conducting special education courses in the school or school district and a special education teacher who may provide the special services designed for the child.

3. A teacher who currently has been instructing the child.

4. A person who is licensed, certificated or otherwise qualified pursuant to state rules in the area of the child's suspected handicap.

5. A parent or guardian of the child and, whenever appropriate, such child.

6. If the child has been referred to a state agency for an evaluation for services and residential placement is a possibility, a representative of the state agency responsible for noneducational costs of the residential program.

7. Other individuals at the discretion of the parent, school district or county.

F. The chief administrative official of the school district or county or such person officially designated as responsible for special education shall place the child, based upon the consensus recommendation of the individualized education program team and subject to due process pursuant to 20 United States Code § 1415,[1] except that no child shall be placed in a special education program without the approval of his parent or guardian, or retained in such a program without actual notice to the parent or guardian. Placement may be made or changed pursuant to a hearing officer's decision under 20 United States Code § 1415 or an order from a court of competent jurisdiction.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1986, Ch. 298, § 2, eff. May 6, 1986; Laws 1988, Ch. 127, § 2; Laws 1991, Ch. 257, § 7; Laws 1992, Ch. 172, § 9; Laws 1992, Ch. 273, § 4.

[1] 20 U.S.C.A. § 1415.

Historical and Statutory Notes

Reviser's Notes:

1988 Note. Pursuant to the authority of § 41–1304.02, in subsection D, paragraph 4 the spelling of "qualified" was corrected and in subsection E the spelling of "multidisciplinary" was corrected.

1992 Note. This section contains the amendments made by Laws 1992, Ch. 172, sec. 9 and Ch. 273, sec. 4 that were blended together as shown above pursuant to authority of § 41–1304.03.

§ 15–767. Review of special education placement; report of educational progress

The placement of a child in a special education program shall be reviewed by the chief administrative official of the school district or county or such person officially designated as responsible for special education at least once each year, and a copy of the results of the review shall be submitted to the parent or guardian of the child. The educational progress of a child in a special education program shall be reviewed and reported to the parent or the guardian of the child at least once each semester.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1981, Ch. 31, § 1; Laws 1991, Ch. 257, § 8.

§ 15-768. Reports to department of education and department of economic security

A. Each governing board shall report annually on or before February 1 to the department of education by category of disability the number and ages of those pupils with disabilities as defined in § 15-761 who exhibit mild mental retardation or impairment, multiple disabilities, multiple disabilities with severe sensory impairment or moderate or severe mental retardation and who are scheduled to graduate or to otherwise terminate their special education programs at or prior to the end of the school year.

B. The department of education shall compile and forward such information to the department of economic security by March 7 of each year.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1986, Ch. 298, § 3, eff. May 6, 1986; Laws 1987, Ch. 363, § 2, eff. May 22, 1987; Laws 1989, Ch. 15, § 3; Laws 1990, Ch. 207, § 2; Laws 1990, Ch. 258, § 2; Laws 1991, Ch. 173, § 7; Laws 1991, Ch. 209, § 3; Laws 1991, Ch. 257, § 9; Laws 1992, Ch. 172, § 10.

Historical and Statutory Notes

The 1992 amendment of this section by Ch. 172 explicitly amended the 1991 amendment of this section by Ch. 209 and Ch. 257.

The 1991 amendment of this section by Ch. 173, § 7 was repealed by Laws 1992, Ch. 319, § 13.

Laws 1992, Ch. 319, § 1, par. 8, provides:

"Section 1. **Purpose**"

"8. Section 15-768, Arizona Revised Statutes, was amended by Laws 1991, chapter 173, § 7, Laws 1991, chapter 209, § 3 and Laws 1991, chapter 257, § 9. The chapter 173 version could not be blended because it was inconsistent in part with the blended version. Since the substance of the Laws 1991, chapter 173 version was incorporated in the blend version of § 15-768, Arizona Revised Statutes, in this act the chapter 173 version is repealed."

Reviser's Notes:

1990 Note. This section contains the amendments made by Laws 1990, Ch. 207, § 2 and Ch. 258, § 2 which were blended together as shown above pursuant to authority of § 41-1304.03.

1991 Note. Prior to the 1992 amendment, this section contained the amendments made by Laws 1991, Ch. 209, sec. 3 and Ch. 257, sec. 9 that were blended together pursuant to authority of § 41-1304.03.

1991 Note. The amendment made by Laws 1991, Ch. 173, sec. 7 was inconsistent and incompatible with Laws 1991, Ch. 209 and Laws 1991, Ch. 257 and therefore could not be blended.

§ 15-769. Appropriation and apportionment; approval of program

A. Except as provided in this section and § 15-770, all pupils who are children with a disability as defined in § 15-761 shall be included in the entitlement to state aid computed as provided in chapter 9, article 5 of this title[1] and apportionment made as provided in § 15-973.

B. A district may budget using the group B weight for a homebound child with a disability if the educational program meets the minimum standards established by the state board of education. For purposes of computing the base support level, a school district shall not classify a pupil in more than one category of disability.

C. The appropriations and apportionment as provided in chapter 9, article 5 of this title shall not be granted to the governing board of a school district or county school superintendent unless the school district or county complies with the provisions of this article and the conditions and standards prescribed by the superintendent of public instruction pursuant to rules of the state board of education for pupil identification and placement pursuant to §§ 15-766 and 15-767.

D. If a pupil with a group B disability does not receive special education instructional services but receives at least one ancillary service, the pupil shall be considered a special education pupil for the group B funding. If the category of disability has both a resource and self-contained weight, the pupil shall be classified as in a resource program. In this subsection, "ancillary service" means one of the following:

1. Physical therapy.
2. Occupational therapy.
3. Orientation and mobility training.
4. Sign language interpretation services.
5. A full-time aide needed for an individual pupil to benefit from the pupil's educational program as specified in the pupil's individualized education program.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1982, Ch. 169, § 3; Laws 1984, Ch. 282, § 2; Laws 1985, Ch. 127, § 2; Laws 1989, Ch. 15, § 4; Laws 1990, Ch. 207, § 3; Laws 1992, Ch. 172, § 11.

[1] Section 15-971 et seq.

Historical and Statutory Notes

For provision of Laws 1984, Ch. 1 relating to the extension of the minutes of instruction in schools in disaster areas, see Historical Note following § 15-341.

§ 15-855. School or school district operation on a year-round school year basis; separate budget

A. Any school district which is qualified and which obtains approval of the state board of education may operate on a four quarter, three semester or other year-round school year operation basis in cooperation with and under the supervision of the superintendent of public instruction.

B. Any school district which operates some but not all of its schools on a year-round school year operation basis shall remove such schools from the school district budget, proportionately reduce the school district budget amounts and employ a separate budget for each of its schools with a year-round school year operation.

C. The superintendent of public instruction shall supervise the conversion of any school district budget as required by subsection B of this section to insure application of all budget requirements.

D. For school districts which maintain an approved year-round school year operation, entitlement to state aid shall be based on the one hundred seventy-five days' equivalency of instructional time as approved by the superintendent of public instruction during which each student is enrolled.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1990, Ch. 322, § 7, eff. June 20, 1990; Laws 1990, Ch. 399, § 1, eff. July 5, 1990; Laws 1991, Ch. 298, § 18.

§ 15-901. Definitions

A. In this title, unless the context otherwise requires:

1. "Average daily attendance" or "ADA" means actual average daily attendance through the first one hundred days in session.

2. "Average daily membership" means the total enrollment of fractional students and full-time students, minus withdrawals, of each school day through the first one hundred days in session for the current year. Withdrawals include students formally withdrawn from schools and students absent for ten consecutive school days, except for excused absences as identified by the department of education. For computation purposes, the effective date of withdrawal shall be retroactive to the last day of actual attendance of the student.

(a) "Fractional student" means:

(i) For common schools, a preschool child who is at least three years of age and enrolled in a program for preschool children with disabilities of at least three hundred sixty minutes each week or a kindergarten student at least five years of age prior to January 1 of the school year and enrolled in a school kindergarten program that meets at least three hundred forty-six instructional hours during the minimum number of days required in a school year as provided in § 15-341. Lunch periods and recess periods may not be included as part of the instructional hours unless the child's individualized education program requires instruction during those periods and the specific reasons for such instruction are fully documented. In computing the average daily membership, preschool children with disabilities and kindergarten students shall be counted as one-half of a full-time student. For common schools, a part-time student is a student enrolled for less than the total time for a full-time student as defined in this section. A part-time common school student shall be counted as one-fourth, one-half or three-fourths of a full-time student if the student is enrolled in an instructional program that is at least one-fourth, one-half or three-fourths of the time a full-time student is enrolled as defined in subdivision (b) of this paragraph.

(ii) For high schools, a part-time student who is enrolled in less than four subjects that count toward graduation as defined by the state board of education in a recognized high school and who is taught in less than twenty instructional hours per week prorated for any week with fewer than five school days. A part-time high school student shall be counted as one-fourth, one-half or three-fourths of a full-time student if the student is enrolled in an instructional program that is at least one-fourth, one-half or three-fourths of a full-time instructional program as defined in subdivision (c) of this paragraph.

(b) "Full-time student" means:

(i) For common schools, a student who is at least six years of age prior to January 1 of a school year, who has not graduated from the highest grade taught in the school district and who is regularly enrolled in a course of study required by the state board of education. First, second and third grade students, ungraded students at least six, but under nine, years of age by September 1 or ungraded group B children with disabilities who are at least five, but under six, years of age by September 1 must be enrolled in an instructional program that meets for a total of at least six hundred ninety-two hours during the minimum number of days required in a school year as provided in § 15-341. Fourth, fifth and sixth grade students or ungraded students at least nine, but under twelve, years of age by September 1 must be enrolled in an instructional program that meets for a total of at least eight hundred sixty-five hours during the minimum number of school days required in a school year as provided in § 15-341. Seventh and eighth grade students or ungraded students at least twelve, but under fourteen, years of age by September 1 must be enrolled in an instructional program that meets for a total of at least one thousand thirty-eight hours during the minimum number of days required in a school year as provided in § 15-341. Lunch periods and recess periods may not be included as part of the instructional hours unless the student is a child with a disability and the child's individualized education program requires instruction during those periods and the specific reasons for such instruction are fully documented.

(ii) For high schools, a student not graduated from the highest grade taught in the school district, or an ungraded student at least fourteen years of age by September 1, and enrolled in at least a full-time instructional program of subjects that count toward graduation as defined by the state board of education in a recognized high school. A full-time student shall not be counted more than once for computation of average daily membership.

(iii) For homebound or hospitalized, a student receiving at least four hours of instruction per week.

§ 15-902. Determination of student count

A. For a common or a unified school district in which the average daily membership through the first one hundred days in session of the current year has exceeded the average daily attendance through the first one hundred days in session of the current year by more than six per cent, the student count shall be determined by an adjusted average daily membership computed by multiplying the actual average daily attendance by one hundred six per cent.

B. For a high school district in which the average daily membership through the first one hundred days in session of the current year exceeds the average daily attendance through the first one hundred days in session of the current year by more than eight and one-half per cent, the student count shall be determined by an adjusted average daily membership computed by multiplying the actual average daily attendance by one hundred eight and one-half per cent. If the high school district which utilized adjusted average daily membership pursuant to this subsection does not qualify for equalization assistance as provided by § 15-971, the computation of additional state aid for education as provided in § 15-972 for that district shall not include in the primary property tax rate the amount of primary property taxes necessary to fund an amount computed as follows:

1. Determine the revenue control limit, capital outlay revenue limit and capital levy revenue limit using the adjusted average daily membership.
2. Add the limits determined in paragraph 1 of this subsection.
3. Determine the revenue control limit, capital outlay revenue limit and capital levy revenue limit using a student count computed by multiplying the actual average daily attendance by one hundred six per cent.
4. Add the limits determined in paragraph 3 of this subsection.
5. Subtract the sum determined under paragraph 4 of this subsection from the sum determined under paragraph 2 of this subsection.

C. A school district required to utilize adjusted average daily membership as provided in this section may apply to the department of education for a further adjustment if student absences for any period of three consecutive days or more result from any of the following reasons:

1. Widespread illness.
2. Adverse weather conditions.
3. Concerted refusal by students to attend classes.

D. All student absence figures submitted to the department of education pursuant to subsection C of this section shall be certified by the governing board of the school district. The department of education shall review the materials and documents submitted and may, if it determines that the absences resulted from the reasons prescribed by this section, further adjust the average daily membership figures of the school district.

E. A school district required to use adjusted average daily membership as provided in this section may apply to the department of education for a further adjustment due to absences of pupils with chronic health problems as defined in § 15-346 if the school district is providing services to the pupils during their absence from school.

F. A pupil is enrolled if the pupil is currently registered in the school district. In addition, the uniform system of financial records shall contain procedures to ensure that enrollment is determined by all school districts on a uniform basis.

G. Any determination of average daily attendance and average daily membership shall be based on the records of the superintendent of public instruction.

H. For school districts which maintain an approved year-round school year operation program, an educational program offered on the basis of a four day school week or an alternative kindergarten program offered on the basis of a three day school week, student count shall be based on a computation as prescribed by the superintendent of public instruction on the one hundred seventy-five days' equivalency of instructional time as approved by the superintendent of public instruction during which each pupil is enrolled.

I. School districts shall be required to record membership and attendance for each day school is in session. Records shall be certified and forwarded to the department of education within twelve days after the first forty days in session and within twelve days after the first one hundred days in session.

J. Absences shall be made part of the attendance record and shall be forwarded with other records to the department of education.

K. If a new school district is formed by the subdivision of an existing school district as provided in § 15-458, the new school district shall determine its student count, the approved daily route mileage and the number of eligible students transported on the basis of where pupils reside within the boundaries of the new school district when computing assistance as provided in this chapter. The school district shall determine its student count, the approved daily route mileage and the number of eligible students transported on the basis of where pupils reside within the diminished boundaries of the school district when computing a school district budget limit and assistance as provided in this chapter. The combined student count in the new districts may not exceed the student count of the school district which would have existed if the subdivision had not occurred.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1983, Ch. 229, § 1, eff. April 22, 1983; Laws 1985, Ch. 127, § 5; Laws 1986, Ch. 84, § 3; Laws 1987, Ch. 93, § 5; Laws 1990, Ch. 322, § 11, eff. June 20, 1990; Laws 1991, Ch. 314, § 1; Laws 1993, Ch. 202, § 12, eff. April 21, 1993.

§ 15-903. Budget format

A. The superintendent of public instruction shall in conjunction with the auditor general prepare and prescribe a budget format to be utilized by all school districts.

B. The budget format shall be designed to allow all school districts to plan and provide in detail for the use of available funds. The budget format shall contain distinct sections for, but need not be limited to, maintenance and operation, debt service, special projects, capital outlay and adjacent ways. The maintenance and operation section shall include, but need not be limited to, separate subsections for regular education programs, special education programs and operational expenditures for pupil transportation.

1. The special education program subsection shall include, but is not limited to, programs for each disability classification as defined in § 15-761 and programs for gifted, vocational and technological education, remedial education and bilingual students. The total expenditures for each of these programs shall be included on the budget form.

2. The pupil transportation subsection shall include all operational expenditures relating to the transportation of pupils, including all operational expenditures within a contract if the school district contracts for pupil transportation.

C. The capital outlay section of the budget shall include budgeted expenditures for acquisitions by purchase, lease-purchase or lease of capital items as defined in the uniform system of financial records, including:

1. Land, buildings and improvements to land and buildings, including labor and related employee benefits costs and material costs if work is performed by school district employees.

2. Furniture, furnishings, athletic equipment and other equipment, including computer software.

3. Pupil and nonpupil transportation vehicles and equipment, including all capital expenditures within a contract if the school district contracts for pupil transportation.

4. Textbooks and related printed subject matter materials adopted by the governing board.

5. Instructional aids.

6. Library books.

D. The capital outlay section of the budget shall include a reserve within the capital outlay fund. The reserve is for the accumulation of monies as provided in § 15-962. This reserve shall only include the amount to be added in the budget year and the total amount accumulated in the reserve.

E. The budget format shall contain distinct subsections for the following:

1. Special programs to improve academic achievement of pupils in kindergarten programs and grades one through three as provided in § 15-482.

2. School plant funds.

3. Capital outlay budget increases as provided in § 15-481.

4. Property taxation including the following:

(a) The primary tax rates for the school district for the current year and the budget year.

(b) The secondary tax rates for the school district for the current year and the budget year.

F. The budget format shall also contain:

1. A statement identifying proposed pupil-teacher ratios and pupil-staff ratios relating to the provision of special education services for the budget year.

2. A statement identifying the number of full-time equivalent certified employees.

3. If a governing board uses § 15–942 relating to the adjustment for rapid decline in student count, a statement identifying the actual per cent decline in student count and a statement identifying the additional allowable expenditures attributable to using the rapid decline provisions as provided in § 15–942.

G. The special projects section shall include budgeted expenditures for state special projects, including special adult projects and career education, such federal special projects as ESEA title programs, vocational education and title IV Indian education, and other special projects.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1982, Ch. 179, § 1; Laws 1984, Ch. 314, § 2, eff. April 30, 1984; Laws 1984, Ch. 364, § 2; Laws 1985, Ch. 166, § 12, eff. April 18, 1985; Laws 1986, Ch. 125, § 4, eff. April 18, 1986; Laws 1987, Ch. 164, § 1; Laws 1990, Ch. 348, § 8, eff. June 26, 1990; Laws 1992, Ch. 172, § 18.

§ 15-943. **Base support level**

The base support level for each school district shall be computed as follows:

1. The following support level weights shall be used in paragraph 2, subdivision (a) for the following school districts:

(a) For school districts whose student count in kindergarten programs and grades one through eight is classified in column 1 of this subdivision, the support level weight for kindergarten programs and grades one through eight is the corresponding support level weight prescribed in column 2 or 3 of this subdivision, whichever is appropriate:

Column 1 Student Count	Column 2 Support Level Weight For Small Isolated School Districts	Column 3 Support Level Weight For Small School Districts
1-99	1.559	1.399
100-499	1.358 + [0.0005 x (500 − student count)]	1.278 + [0.0003 x (500 − student count)]
500-599	1.158 + [0.002 x (600 − student count)]	1.158 + [0.0012 x (600 − student count)]

(b) For school districts whose student count in grades nine through twelve is classified in column 1 of this subdivision, the support level weight for grades nine through twelve is the corresponding support level weight prescribed in column 2 or 3 of this subdivision, whichever is appropriate:

Column 1 Student Count	Column 2 Support Level Weight For Small Isolated School Districts	Column 3 Support Level Weight For Small School Districts
1-99	1.669	1.559
100-499	1.468 + [0.0005 x (500 − student count)]	1.398 + [0.0004 x (500 − student count)]
500-599	1.268 + [0.002 x (600 − student count)]	1.268 + [0.0013 x (600 − student count)]

2. Subject to paragraph 1, determine the weighted student count as follows:

(a)

Grade	Base		Group A		Support Level Weight		Student Count		Weighted Student Count
PSD	1.000	+	0.450	=	1.450	×	______	=	______
K-8	1.000	+	0.158	=	1.158	×	______	=	______
9-12	1.163	+	0.105	=	1.268	×	______	=	______
							Subtotal	A	______

(b)
Funding:

Category	Support Level Weight		Student Count		Weighted Student Count
Voc. Ed.	0.071	×	______	=	______
HI	2.353	×	______	=	______
K-3	0.040	×	______	=	______
LEP	0.060	×	______	=	______
MD-R, A-R and SMR-R	0.762	×	______	=	______
MD-SC, A-SC and SMR-SC	2.489	×	______	=	______
MD-SSI	4.079	×	______	=	______
OI-R	0.603	×	______	=	______
OI-SC	2.678	×	______	=	______
P-SD	2.500	×	______	=	______
ED, MIMR, SLD, SLI and OHI	0.003	×	______	=	______
ED-P	1.539	×	______	=	______
MOMR	2.084	×	______	=	______
VI	2.928	×	______	=	______
			Subtotal	B	______

(c) Total of subtotals A and B: ______

3. Multiply the total determined in paragraph 2 by the base level.

4. Multiply the teacher experience index of the district or 1.00, whichever is greater, by the product obtained in paragraph 3.

§ 15-945. Transportation support level

A. The support level for to and from school for each school district for the current year shall be computed as follows:

1. Determine the greatest approved daily route mileage of the school district for the three fiscal years prior to the current year not including any fiscal year prior to fiscal year 1983-1984.

2. Multiply the figure obtained in paragraph 1 of this subsection by one hundred seventy-five.

3. Determine the number of eligible students transported in the fiscal year with the greatest approved daily route mileage determined as provided in paragraph 1 of this subsection.

4. Divide the amount determined in paragraph 1 of this subsection by the amount determined in paragraph 3 of this subsection to determine the approved daily route mileage per eligible student transported.

5. Determine the classification in column 1 of this paragraph for the quotient determined in paragraph 4 of this subsection. Multiply the product obtained in paragraph 2 of this subsection by the corresponding state support level for each route mile as provided in column 2 of this paragraph.

Column 1 Approved Daily Route Mileage per Eligible Student Transported	Column 2 State Support Level per Route Mile for Fiscal Year 1984-1985
0.5 or less	$ 1.55
More than 0.5 through 1.0	$ 1.25
More than 1.0	$ 1.55

6. Add the amount spent during the prior fiscal year for bus tokens and bus passes for students who qualify as eligible students as defined in § 15-901.

B. The support level for academic and vocational and technological education and athletic trips for each school district for the current year is computed as follows:

1. Determine the classification in column 1 of paragraph 2 of this subsection for the quotient determined in subsection A, paragraph 4 of this section.

2. Multiply the product obtained in subsection A, paragraph 5 of this section by the corresponding state support level for academic and vocational and technological education and athletic trips as provided in column 2, 3 or 4 of this paragraph, whichever is appropriate for the type of district.

Column 1 Approved Daily Route Mileage per Eligible Student Transported	Column 2 District Type 02 or 03	Column 3 District Type 04	Column 4 District Type 05
0.5 or less	0.15	0.10	0.25
More than 0.5 through 1.0	0.15	0.10	0.25
More than 1.0	0.18	0.12	0.30

For the purposes of this paragraph, "district type 02" means a unified school district or an accommodation school that offers instruction in grades nine through twelve, "district type 03" means a common school district not within a high school district, "district type 04" means a common school district within a high school district or an accommodation school that does not offer instruction in grades nine through twelve and "district type 05" means a high school district.

C. The support level for extended school year programs for handicapped pupils is computed as follows:

1. Determine the sum of the following:

(a) The total number of miles driven by all buses of a school district while transporting eligible handicapped students on scheduled routes from their residence to the school of attendance and from the school of attendance to their residence on routes for an extended school year program in accordance with § 15-881.

(b) The total number of miles driven on routes approved by the superintendent of public instruction for which a private party, a political subdivision or a common or a contract carrier is reimbursed for bringing an eligible handicapped student from the place of his residence to a school transportation pickup point or to the school facility of attendance and from the school transportation scheduled return point or from the school facility to his residence for an extended school year program in accordance with § 15-881.

2. Multiply the sum determined in paragraph 1 of this subsection by the state support level for the district determined as provided in subsection A, paragraph 5 of this section.

D. The transportation support level for each school district for the current year is the sum of the support level for to and from school as determined in subsection A of this section and the support level for academic and vocational and technological education and athletic trips as determined in subsection B of this section and the support level for extended school year programs for handicapped pupils as determined in subsection C of this section.

E. Beginning with fiscal year 1985-1986 the state support level for each approved route mile, as provided in subsection A, paragraph 5 of this section, shall be adjusted by the growth rate prescribed by § 15-901, subsection B, paragraph 2, subdivision (f).

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1984, Ch. 314, § 3, eff. April 30, 1984; Laws 1985, Ch. 166, § 21, eff. April 18, 1985; Laws 1990, Ch. 322, § 15, eff. June 20, 1990; Laws 1992, Ch. 172, § 23; Laws 1993, Ch. 28, § 1, eff. April 2, 1993; Laws 1993, Ch. 189, § 11; Laws 1994, 9th S.S., Ch. 2, § 16.

ARTICLE 4. PROVISIONS FOR CAPITAL OUTLAY AND CAPITAL LEVY

Historical and Statutory Notes

1981 Reviser's Note:

Pursuant to authority of § 41-1304.02, in the article heading to article 4, as added by Laws 1981, Ch. 1, § 2, a duplicate "and" was deleted as a correction of a manifest clerical error.

§ 15-961. Capital outlay revenue limit; growth rate

A. A capital outlay revenue limit per student count is established for fiscal year 1984-1985 as follows:

1. For kindergarten programs and grades one through eight multiply one hundred fifty-five dollars by the weight which corresponds to the student count for kindergarten programs and grades one through eight for the school district as provided in § 15-943, paragraph 1, subdivision (a), column 3. For a school district with a student count of six hundred or more in kindergarten programs and grades one through eight multiply one hundred fifty-five dollars by 1.158.

2. For grades nine through twelve multiply one hundred sixty-eight dollars by the weight which corresponds to the student count for grades nine through twelve for the school district as provided in § 15-943, paragraph 1, subdivision (b), column 3. For a school district with a student count of six hundred or more in grades nine through twelve multiply one hundred sixty-eight dollars by 1.268.

3. For programs for preschool children with disabilities multiply one hundred fifty-five dollars by 1.158.

B. For fiscal year 1985-1986 and each year thereafter the capital outlay revenue limit prescribed in subsection A of this section shall be adjusted by the growth rate prescribed by § 15-901, subsection B, paragraph 2, subdivision (f).

C. For fiscal year 1985-1986 and each year thereafter the capital outlay revenue limit for a school district shall be computed as follows:

1. Select the applicable capital outlay revenue limit or limits per student count for the school district.

2. Multiply the amount or amounts selected in paragraph 1 of this subsection by the appropriate student count of the school district.

3. If a school district's student count used for the budget year is greater than one hundred five per cent of the student count used for the current year's budget, increase the adjusted capital outlay revenue limit determined in paragraph 2 of this subsection by the actual percentage increase in the school district's student count.

D. For fiscal year 1985-1986 and each year thereafter, an amount for the purchase of required textbooks and related printed subject matter materials shall be used to increase the capital outlay revenue limit for a school district as determined in subsection C, paragraph 2 or 3 of this section, whichever is applicable. For fiscal year 1985-1986, the funding level is fifty-seven dollars fifty cents. For fiscal year 1986-1987 and each year thereafter, the funding level is the funding level of the previous year adjusted by the growth rate prescribed by § 15-901, subsection B, paragraph 2, subdivision (f). The amount to be added to the amount in subsection C, paragraph 2 or 3 of this section, whichever is applicable, to determine the capital outlay revenue limit for a school district is computed as follows:

1. For fiscal year 1985–1986, multiply the student count in grade nine by the funding level for the applicable year as prescribed in this subsection.

2. For fiscal year 1986–1987, multiply the student count in grades nine and ten by the funding level for the applicable year as prescribed in this subsection.

3. For fiscal year 1987–1988, multiply the student count in grades nine through eleven by the funding level for the applicable year as prescribed in this subsection.

4. For fiscal year 1988–1989 and each year thereafter, multiply the student count in grades nine through twelve by the funding level for the applicable year as prescribed in this subsection.

Added by Laws 1981, Ch. 1, § 2, eff. Jan. 23, 1981. Amended by Laws 1981, Ch. 217, §§ 1, 2, eff. April 27, 1981; Laws 1982, Ch. 179, § 2; Laws 1982, Ch. 198, § 6; Laws 1982, Ch. 290, § 2, eff. May 3, 1982; Laws 1983, Ch. 9, § 6; Laws 1983, Ch. 182, § 10; Laws 1984, Ch. 349, § 9; Laws 1984, Ch. 379, § 14; Laws 1985, Ch. 166, § 27, eff. April 18, 1985; Laws 1988, Ch. 281, § 7; Laws 1992, Ch. 172, § 26; Laws 1993, Ch. 189, § 13.

§ 15-962. Capital levy revenue limit; plan for capital outlay reserve

A. A capital levy revenue limit per student count is established for fiscal year 1985-1986 as follows:

1. For kindergarten programs and grades one through eight multiply one hundred twenty-five dollars by the weight which corresponds to the student count for kindergarten programs and grades one through eight for the school district as provided in § 15-943, paragraph 1, subdivision (a), column 3.

2. For grades nine through twelve multiply one hundred twenty-five dollars by the weight which corresponds to the student count as provided in § 15-943, paragraph 1, subdivision (a), column 3.

3. For a school district with a student count of six hundred or more in kindergarten programs and grades one through eight or grades nine through twelve multiply one hundred twenty-five dollars by 1.158.

4. For programs for preschool children with disabilities multiply one hundred twenty-five dollars by 1.158.

B. Beginning with fiscal year 1986-1987 the capital levy revenue limit prescribed in subsection A of this section shall be adjusted by the growth rate prescribed by § 15-901, subsection B, paragraph 2, subdivision (f).

C. Beginning with fiscal year 1985-1986 the capital levy revenue limit for a school district is computed as follows:

1. Select the applicable capital levy revenue limits per student count for the school district.

2. Multiply the amount selected in paragraph 1 of this subsection by the appropriate student count of the school district.

D. The governing board may accumulate monies collected as provided in this section in the reserve of the capital outlay fund. If the governing board chooses to accumulate monies in the reserve of the capital outlay fund, it shall adopt and may subsequently amend a plan for the use of the reserve that specifies how and when the monies in the reserve are to be expended. The maximum amount which may be placed in or added to the reserve in any one year shall not exceed the sum of the capital levy revenue limit for that year and the federal impact capital levy adjustment, as provided in § 15-964, for that year, and the maximum amount accumulated in the reserve in any fiscal year shall not exceed five times the capital levy revenue limit for that year, except as provided in subsection E of this section. The governing board shall report the actual amount accumulated in the reserve in the annual financial report of the school district as provided in § 15-904. Monies accumulated in the reserve of the capital outlay fund as provided in this section shall be expended only in accordance with the following:

1. A plan for the use of the reserve shall follow a standard format as prescribed in the uniform system of financial records.

2. A plan for the use of the reserve shall be adopted or amended at a public hearing on the proposed plan, and the governing board shall publish a notice of the public hearing in a newspaper of general circulation within the school district no later than ten days prior to the hearing.

3. If the governing board adopts or amends a plan for the use of the reserve that includes the construction of school buildings, excluding relocatable buildings, or the purchase of school sites at an estimated cost in excess of two

hundred fifty thousand dollars for a district with a student count of at least five hundred or an estimated cost in excess of one hundred thousand dollars for a district with a student count of fewer than five hundred, the portion of the plan that includes the construction of school buildings, excluding relocatable buildings, or purchase of school sites shall not be implemented until that portion of the plan is approved by a majority of the qualified electors voting in an election called for such purpose. The election shall be conducted and the notice and ballots shall be prepared as provided in § 15-481, except that the governing board shall hold the election on a date prescribed in § 15-491, subsection E. In this paragraph, "relocatable buildings" means buildings which are designed to be relocated as defined in the uniform system of financial records and are placed on a school site which has existing school buildings.

E. If a governing board desires to accumulate monies in the reserve of the capital outlay fund in excess of the maximum amount permitted in subsection D of this section, it may petition the state board of education requesting authority to exceed the maximum amount that may be placed in or added to the reserve in a single year or to exceed the maximum amount that can be accumulated in the reserve in any fiscal year as specified in subsection D of this section. The state board of education shall hold a hearing on the petition within sixty days after receipt and shall determine whether to allow the petition, allow the petition after revision or deny the petition.

F. A school district governing board may petition the state board of education for authority to budget and accumulate for school construction purposes a portion of the prior year's ending cash balance, after any reversion as required by § 15-991.02, not to exceed the amount of P.L. 81-874 monies which the school district was entitled to receive in the prior year, as computed by the superintendent of public instruction, if:

1. The governing board filed with the United States department of education division of impact aid an approved application for federal assistance for construction under P.L. 81-815 for the current or budget year and has been advised by the division of impact aid that no federal monies are available to fund its application.

STATE STATUTES AND REGULATIONS APPLICABLE TO CHARTER SCHOOLS

The following summaries are of laws which are most applicable to Charter Schools, including those which generally apply to businesses, employers or schools. The statutory reference is provided for each general area discussed. Specific questions regarding applicability or exceptions should be referred to legal counsel for the Charter School.

Title 8 Provisions: Children and Minors.

1. **Habitual Truancy/Incorrigibility.** A child between the ages of six (6) and sixteen (16) years of age who is not enrolled in and attending school, as required at ARS §15-803, may be determined to be an "incorrigible child" as defined at ARS §8-201. The child may be fined up to $150 (ARS §8-241(E)). If supervision of an incorrigible child is required, the court must require a monthly fee (ARS §8-241(C) from the parent or person having custody of the child. Violations may be cited through a traffic ticket-type complaint (ARS §15-805). Also, ARS §15-802(E) provides that violations by either the parent or the child may be charged, heard and disposed of under ARS §8-232 (ARS §8-201; ARS §§15-802, 803 and 805).

Title 13 Provisions: Criminal Offenses.

1. **Family Offenses.** Requires school personnel, among others, to report those injuries which reasonably indicate that a child is or has been the victim of injury, sexual abuse (ARS §13-1404), sexual conduct with a minor (ARS §13-1405), sexual assault (ARS §13-1406), molestation of a child (ARS §13-1410), commercial sexual exploitation of a minor (ARS §13-3552), sexual exploitation of a minor (ARS §13-3553) incest (ARS §13-3608), child prostitution (ARS §13-3212), abuse or physical neglect which appear to be nonaccidental and denial of necessary medical or surgical care or nourishment (ARS §13-3620).

Title 15 Provisions: Education.

1. **Definitions.** Provides general definitions applying to Title 15, including "parent" and "person who has custody" (ARS §15-101).

2. **Pest Management.** Requires development and adoption of a policy to provide pupils and employees with at least 48 hours notice before pesticides are applied on school property. Guidelines shall be based upon model guidelines issued by the State Board of Education and include specific components, including the manner of notice to be given, warning signs to be posted, maintenance of written records of notices (ARS §15-152; AAC R7-2-315).

3. **Educational Records.** Provides that the right to inspect and review educational records and the release of or access to such records is generally governed by the Family Educational Rights and Privacy Act (20 USC §1221 et seq.) and its implementing regulations. Also provides for injunctive or special action relief whether or not the educational agency receives federal funding. Requires educational records to be provided to the Department of Youth Treatment and Rehabilitation (DYTR) within 10 working days. *See also,* ARS §15-828(G) regarding parental consent requirements (ARS §15-141).

4. **Safety Requirements.** Addresses eye protective devices (ARS §15-151) and pest management at schools, including notice requirements prior to application of pesticides (ARS §15-152).

5. **Charter Schools.** Authorizes the establishment of Charter Schools and addresses application requirements, immunity provisions, exemptions, renewal of charters and prohibiting reprisal against public school employees who seek to start a Charter School (ARS §15-183). Addresses the legal requirements for admission of students (ARS §15-184), receipt of public funding (ARS §15-185), transportation (ARS §15-186), protection for teachers (ARS §15-187) and funding from the Charter Schools Stimulus Fund (ARS §15-188).

6. **Procurement Practices of Schools.** Describes the legal requirements for procurement practices, which also apply to Charter Schools. Requires the State Board of Education to prescribe rules addressing procurement issues, which are located in Arizona Administrative Code (AAC) R7-2-1000, *et seq..*, (ARS §15-213).

7. **Uniform System of Financial Records.** Requires the auditor general to determine the accounting systems, accounting methods and procedures to be utilized by school districts and, in conjunction with the State Board of Education, prescribe a uniform system of financial records for utilization by all school districts (and Charter Schools) each fiscal year (ARS §15-271 and §15-272).

8. **Administration of Medication.** Requires policies and procedures for administration of non-prescription medications or the giving of a treatment package in its original container, including parental authorization (ARS §15-344).

9. **Chronic Health Problems.** "Pupils with chronic health problems" means pupils who are unable to attend regular classes for intermittent periods of one or more consecutive days because of illness, disease or accident but who are not homebound. Requires the adoption of policies and procedures concerning pupils with chronic health problems, which provide for continued learning for pupils while they are absent from school and integration of such students

into regular classes to the extent possible. Requires provisions for homework availability to allow students to keep up with assignments and avoid loss of credit due to absence, and flexibility in physical education requirements (ARS §15-346).

10. **Insurance/bond Premiums.** When a school executes a bond in favor of the federal government, or insurance for federal buildings or equipment being used for school purposes, any premiums paid on the bond or insurance must be charged against the funds of the school (ARS §15-385).

11. **Pulmonary Disease.** An employee cannot be required to submit to periodic examinations for tuberculosis except where the employee displays symptoms of the disease, in which case an employee may be required to submit to such tests or examinations as a licensed physician deems appropriate (ARS §15-505).

12. **Transportation Employees: Drug and Alcohol Testing.** Transportation employees must submit to drug and alcohol testing if the supervisor of the employee, or designee, has probable cause that the employee's job performance has been impaired by the use of alcohol or a drug. Probable cause is to be based on observations and documented by an affidavit signed by the person who observed the behavior and the supervisor of the employee or designee. The school must pay for the costs of drug and alcohol testing, which may be charged back to the employee if the results are positive. If the employee refuses testing or whose test results are positive may be terminated from employment (ARS §15-513).

13. **Disciplinary Hearings: Confidentiality.** The governing board (or Charter School) and the State Board of Education shall keep confidential the names of any pupils involved in a hearing regarding the dismissal or discipline of an employee or action on a certificate. The pupil's name shall not be disclosed without parental consent or unless authorized pursuant to an order of the superior court (ARS §15-551).

14. **Course of Study.** The State Board of Education is to prescribe a minimum course of study and competency goals on essential skills. (Arizona Constitution, Art. XI, which requires a "general and uniform" public school system; (ARS §15-701 and AAC R7-2-301 [common schools]; ARS §15-701.01 and AAC R7-2-302 and 302.04 [high schools]).

15. **Assessment of Pupils.** Describes the requirements for the Essential Skills testing , nationally standardized norm-referenced testing and pupil outcomes adopted by the State Board of Education (ARS §15-741), all of which apply to Charter Schools (ARS §15-183(E)(4)).

16. **School Report Cards.** Describes the required content of school report cards, which must be distributed annually by all public schools in Arizona, including Charter Schools, on a standardized report form developed by the Department of Education (See, ARS §15-183(E)(4)). The Department of Education is to compile an annual report which contains the report card from each school in the State (ARS §15-746).

17. **Education of Language Minority Students.** Requires all schools to identify the primary language of all students, to assess language minority students for English proficiency and provide programs of bilingual instruction or English as a second language. Participation in such programs is voluntary and requires parental notification. Pupils who are not limited English proficient may participate in programs if space is available (ARS §15-751, *et seq.* and AAC R7-2-306).

    [Note: The U.S. Supreme Court in *Lau v. Nichols,* 414 U.S. 563 (1974), determined that failure to affirmatively address the language needs of pupils who are limited English proficient is a denial of their civil rights (Title VI).]

18. **Special Education.** Requires all schools to identify, screen and evaluate, where indicated, children with disabilities who may require special education services. For those who qualify, an individualized education program must be developed which ensures that the pupil is provided with a free, appropriate public education. Charter schools are required to comply with all special education laws regarding children with disabilities in the same manner as a school district (*See,* ARS §15-183(E)(7)). Also, ARS §15-881 requires that the school offer extended school year services to children with disabilities who require them in order to prevent irreparable harm or when the pupil has reached a critical learning period (ARS §15-761, *et seq.* and AAC R7-2-401 *et seq.*).

19. **Compulsory Attendance.** Requires that all children between the ages of six and sixteen years receive instruction in at least the subjects of reading, grammar, mathematics, social studies and science in a public or private school, or a home school (ARS §15-802).

20. **Suspension and Expulsion.** ARS §15-840 defines "expulsion" and "suspension." The responsibilities of pupils and offenses for which expulsion is allowed are contained in ARS §15-841. The suspension and expulsion of children with disabilities must be accomplished in compliance with Federal and State laws and regulations (ARS §15-844). All students are entitled to a hearing which incorporates the rights established in the U.S. Supreme Court case, Goss v. Lopez, 419 U.S. 565 (1975), including the right of the pupil to be advised of the allegations against him/her and the right to tell his/her side of the story.

21. **Open Enrollment.** The provisions relating to transportation in Title 15, Chapter 8, Article 1.1, apply to all charter schools in the state (ARS § 15-186(A)).

22. **Admission Requirements.** The admission requirements applicable to Charter Schools are found at ARS §15-184.

23. **Birth Certificate.** On enrollment of a pupil for the first time, the school must notify the person enrolling the pupil in writing that within thirty days s/he must provide one of the following: 1. A certified copy of the pupil's birth certificate; 2. other reliable proof of the pupil's identity and age, including a baptismal certificate, and application for a Social Security number or original school registration records, and an affidavit explaining the inability to provide a copy of the birth certificate; 3. a letter from the authorized representative of an agency having custody of the pupils pursuant to Title 8, Chapter 2, certifying that the pupil has been placed in the custody of the agency as prescribed by law (ARS §15-828).

24. **Flagging School Records.** When a school is notified that a child is reported by a parent or guardian as missing, the school shall flag the records of the child. If a copy of or information regarding the records is requested, the school must immediately report the request to a local law enforcement agency (ARS §15-829).

25. **Immunization.** A pupil shall not be allowed to attend school without submitting documentary proof to the school administrator unless the pupil is exempted from immunization or the pupil has received certain dosages of the required immunizations (ARS §15-872). Exemption from the immunization requirements may be granted under limited circumstances, but the pupil may be excluded from attendance during outbreak periods of communicable diseases for which immunizations are available (ARS §15-873). Applicable regulations are found at AAC R9-6-701 through 706.

26. **Funding.** For purposes of public funding of schools, the definitions contained in ARS §15-901 shall apply. The specific provisions for Charter Schools are located at ARS §15-185.

Title 23: Employment Practices and Working Conditions

1. **General Provisions.** Statutes prohibit obtaining labor by false pretenses, including the requirement that an employer have sufficient resources to pay at least two weeks of accumulated wages (ARS §23-201). Also regulated are hours of labor (Ariz. Const., Art. 18, §1); Equal wages (ARS §23-341); Payment of wages (ARS §23-350 through 361); Where applicable, wages and hours of public employees (ARS §§23-391 and 392).

2. **Occupational Health and Safety.** State statutes require that employers provide safe employment and place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees. Requires the establishment of safety and health standards and regulations and allows inspections to ensure compliance. Enforcement provisions, penalties, hearing procedures and related rights of employees and employers are specified (ARS §§23-401 through 433).

3. **Employment Security.** Defines "employer" (ARS §23-613); "employee" (ARS §23-613.01); "employment" (ARS §23-615 and 615.01); "exempt employment" (ARS §23-617); "fund" (ARS §23-618); "unemployed" (ARS §23-621); "wages" (ARS §23-622), and "week" (ARS §23-623). Provisions for administrative hearings, decisions and orders are also made (ARS §§23-671 through 683). The unemployment compensation fund provisions are found at ARS §§23-701 through 766, including those related to work records, reports and disclosure of information, accounting, rates, assessments and penalties.

4. **Workers' Compensation.** Employers subject to Workmen's Compensation laws include the state, each county, city, town, municipal corporation, school district and every person who has in his or her employ any workers or operatives regularly employed in the same business or establishment under contract of hire, except domestic servants. "Regularly employed" includes all employments, whether continuous or for only a portion of the year. The provisions of the law are found at ARS §§23-901 through 1073, including administration and enforcement provisions; administrative hearing rights, procedures, hearings and orders; providing for compensation; the State Compensation Fund provisions and administration; insurance under the compensation fund; the amount of compensation to be paid, and the payment of compensation.

5. **Labor Relations.** Prohibits: a. persons from being denied the opportunity to obtain or retain employment because of nonmembership in a labor organization (ARS §23-1302), and provides that any act or agreement in violation of these provisions is illegal and void (ARS §23-1303); b. the threatening or interference with a person, the person's family or property to compel the joining of a labor organization, strike or to leave employment (ARS §23-1304); c. picketing for illegal purposes (ARS §23-1303); and d. blacklisting (ARS §§23-1361, 1362).

Title 28: Transportation

1. **Motor Vehicle Registration.** The requirements of ARS §§28-301 through 331 apply generally to vehicles operated in this State, including those owned by Charter Schools.

2. **Driver's Licenses.** The classes of driver's licenses are found at ARS §28-403. The laws related to issuance, expiration and renewal of licenses are found at ARS §§28-411 through 433; of particular importance are those provisions related to school bus drivers (ARS §28-414.01).

3. **Traffic Regulation on Highways.** The general provisions related to driving are found at §28-621 through 1080. Of particular relevance to Charter Schools are those provisions related to school crossings (ARS §28-797); special stops, including the requirement that school buses and other vehicles stop at all railroad grade crossings (ARS §28-853); overtaking and passing of school buses (ARS §28-857); and reporting of violations by school bus operators (ARS §28-857.01); restrictions on the number of children on a school bus, requirements for receiving or discharging school children at school (ARS §§28-900, 901); special lighting on school buses (ARS §28-930); rear fender splash guard requirements (ARS §28-958.01); annual inspection requirements for school buses (ARS §28-984). Applicable regulations are located at AAC R17-4-601 through 612.

Title 34: Public Buildings and Improvements

1. **Local Codes.** Public buildings must be designed or constructed according to the state fire code adopted by the state fire marshal and applicable building, plumbing, electrical, fire prevention and mechanical codes adopted by the city or town in which the building is located, or, if in an unincorporated area, by the county in which the building is located in the same manner as any other building. The owner of the public building is subject to the same fees required of other persons and are subject to inspection during construction to ensure compliance. "Public building" means a building or appurtenance to a building which is built in whole or in part with public monies (ARS §34-461).

Title 36: Public Health and Safety

1. **Report of Contagious Diseases.** A person who learns that a contagious, epidemic or infectious disease exists shall immediately make a written report of the particulars to the appropriate board of health or health department. The report must include names and residences of persons afflicted with the disease (ARS §36-621; R9-6-601).

2. **Child Day Care Programs.** Effective July 1, 1996, ARS §36-884 provides that, if a public school provides day care other than during regular school hours or for children who are not regularly enrolled in Kindergarten programs or grades one through twelve, that portion of the school that provides day care is subject to day care standards developed pursuant to ARS §36-883.04.

3. **Child Hearing Programs.** Unless a parent specifically refuses to allow a child to have a hearing test, the Department of Health Services must provide hearing evaluation services for all children in public or private education programs. Schools must cooperate in the implementation of the child hearing program (ARS §§36-899 through 899.04).

4. **Confidential Records.** Behavioral health records may be disclosed to the Department of Education or school district of residence [or Charter School] of a person between three and twenty-two years of age for whom the information is necessary in order to comply with the Individuals with Disabilities Education Act (IDEA). The information shall be limited to evaluation and treatment information that affects the educational programming and placement decisions for the patient (ARS §36-509(A)(10)). The Department of Health Services (ARS §36-531(E)) or the Department of Economic Security (ARS §36-555(A)) may conduct joint evaluations with school districts [and Charter Schools] and other state agencies, and may share evaluation information for the purposes of complying with the IDEA.

5. **Smoking in Public Buildings.** Prohibits smoking in school buildings (ARS §36-601.01).

6. **Construction in Public Buildings.** Requires that doors on school buildings and auditoriums open outward (ARS §36-1641).

7. **Lead Based Paint.** Prohibits the application of lead-based paint to any interior surface of a public building or to the exteriors and porches of buildings which are readily accessible to children under seven years of age (ARS §36-1674).

8. **Swimming Pools.** Any Charter School located in a building which has a swimming pool must comply with the pool enclosure requirements of ARS §36-1681.

Title 38: Public Officers and Employees

1. **Compensation for Legal Holidays.** All public employees who work forty hours or more per week who do not receive either compensation or commensurate time off for legal holidays worked, regardless of the day of the week on which the holidays fall, shall receive, for each such holiday worked, one day additional vacation leave or one day additional compensation for each such legal holiday worked (ARS §38-608).

2. **Military Training.** Employees and officers of the State, or of any county, city or town, or of any agency or political subdivision, must be granted leaves of absence from their duties without loss of time, pay or efficiency rating, on all days during which they are employed on training duty under orders with any

branch of the armed forces of the United States, for a period not to exceed thirty days in any two consecutive calendar years. This time may not be deducted from the vacation period with pay to which any employee is otherwise entitled (ARS §38-610).

Title 41: State Government

1. **Arizonans with Disabilities Act.** Requires that all public buildings and buildings in which public services are provided be physically accessible to persons with disabilities. The non-discrimination provisions also prohibit indirect discrimination through contracting, licensing or other arrangements (ARS §§41-1492 through 41-1492.12).

2. **Audit Reports.** Charter Schools sponsored by either of the state boards that receive **no federal funds** are subject to the State audit requirements as provided in ARS §41-1279.21(A)(2), which require a procedural review of the administrative and accounting internal controls. Schools which **receive federal funds** are subject to the single audit requirements of the Office of Management and Budget (OMB) Circular A-128 (A-128). The A-128 requirements vary depending on the amount of federal funds received. Under $25,000, there is no audit requirement; between $25,000 and $100,000 there is a program-specific requirement or A-128 entity-wide audit; over $100,000 requires a school to contract with a Certified Public Accountant (CPA) for the audit of both federal and State funded programs, which is then submitted to the ADE Audit Unit for review.

3. **Public Records Management.** Requires the management of public records in a manner consistent with the procedures established by the Department of Library, Archives and Public Records (ARS §41-1346).

4. **Preservation of Public Records.** Requires that records made by public officials in the course of their public duties are the property of the State and may not be destroyed or otherwise disposed of by any agency of the State, unless it is determined to have no further administrative, legal, fiscal, research or historical value. Statutory provisions may apply to those records of the Charter School which are required to be maintained for State or Federal audit purposes. (ARS §41-1346 through 1350, 1354)

5. **Nondiscrimination in Employment.** It is unlawful for an employer to fail or refuse to hire, to discharge any individual or otherwise to discriminate with respect to compensation, terms, conditions or privileges of employment because of race, color, religion, sex, age, handicap or national origin (ARS §41-1463(B)(1). It is also unlawful to limit, segregate or classify employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or status as an

employee on the basis of race, color, religion, sex, age, handicap or national origin (ARS §41-1463(B)(2)). It is an unlawful employment practice for an employer to discriminate against any employee or applicant for employment because the employee or applicant has opposed an unlawful employment practice (ARS §41-1464). Employers must maintain records relevant to the determination of whether unlawful employment practices have been or are being committed, unless an exemption is granted (ARS §41-1482).

6. **State Fire Marshal.** The Fire Marshal shall enforce rules and regulations for establishing programs for evacuating school buildings and for instructing all students in public and private schools as to proper methods of fire prevention and control (ARS §41-2165). The Fire Marshal must also assist in the enforcement of State laws, and ordinances of cities and countries relating to fire prevention and protection, establish a regularly scheduled fire safety inspection program for all State and county-owned public buildings and all public and private schools buildings (ARS §41-2163).

FEDERAL STATUTES AND REGULATIONS
APPLICABLE TO CHARTER SCHOOLS

I. Laws Applicable to Charter Schools Whether or Not They Receive Federal Funding

The following summaries are of laws which generally apply to businesses, employers or schools. The information which is most relevant to Charter Schools has been included. The statutory reference is provided for each Act for those who wish to review the entire text. Specific questions regarding applicability or exceptions should be referred to legal counsel for the Charter School.

A. **Age Discrimination in Employment Act,** 29 U.S.C. §§621-634. Prohibits an employer from failing or refusing to hire or to discharge any individual or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment, because of the individual's age. Prohibits limiting, segregating or classifying employees in such a manner as to adversely affect the employee's status because of age, or reducing the wage rate of any employee in order to comply with this law. "Employer" is defined to include a person engaged in an industry affecting commerce which has 20 or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, any agent of such a person, and a State and any interstate agency, but not the United States or a corporation wholly owned by the government of the United States.

B. **Americans with Disabilities Act,** 42 U.S.C. §12101-12213. Prohibits discrimination against persons with disabilities and requires affirmative action, including mandatory accommodations, to ensure that discrimination does not occur in employment, public access to facilities and services, transportation, communication and government services. The requirements apply to all governmental entities and private employers of 15 or more employees.

C **Asbestos Hazard Emergency Response Act,** 15 U.S.C. §§2641-2655. Provides for Federal regulations which require inspection for asbestos-containing material and implementation of appropriate response actions with respect to asbestos-containing material in schools. Applies to any local educational agency (LEA) as defined at 20 U.S.C. §8801(18), the owner of any private, nonprofit elementary or secondary school building, and the governing authority of Department of Defense schools. Applies to any school as defined at 15 U.S.C. §2642(12). "School building" means any structure or other facility which is suitable for use as a classroom, including a school facility such as a laboratory, library, school eating facility or recreational activities for an academic course in physical education [and] any other facility used for the instruction of students or for the administration of educational or research programs. 15 U.S.C. §2642(13).

D. **Asbestos School Hazard Detection and Control Act.** 20 U.S.C. §§ 3601-3611. Makes loans available for up to 50% of the cost of asbestos abatement. "LEA" refers to any local education agency as defined in 20 U.S. C. §8801(18), any nonprofit elementary or secondary school owned and operated by one or more nonprofit corporations or associations or any school of any agency of the United States. [See also, Asbestos School Hazard Abatement Act, 20 U.S.C. §§4011-4021.]

E. **Civil Rights Act of 1964,** 42 U.S.C. §§1981 to 1988. Specifically guarantees equal rights under the law to all persons, regardless of color, regarding contracts, the right to sue, be parties, give evidence, the full and equal benefit of all laws and proceedings, and property rights for citizens, as well as the same punishments, pains, penalties, taxes, licenses and exactions of every kind. Prohibits discrimination on the basis of disability. Provides for compensatory and punitive damages and attorney's fees.

1. **Title IV,** 42 U.S.C. §§2000c-2000c-9. Requires desegregation of public schools. "Desegregation" is defined to include the assignment of students to public schools and within such schools without regard to their race, color, religion, sex or national origin, but does not include the assignment of students to public schools in order to overcome racial imbalance or classification and assignment for reasons other than those specified. "Public school" is defined to include any elementary or secondary educational institution which is operated by a State, subdivision of a State, or operated wholly or predominantly from or through the use of governmental funds or property, or funds or property derived from a governmental source.

2. **Civil Rights Act of 1964, Title VI,** 42 U.S.C. §§2000d-2000d-7. Prohibits exclusion from participation in, denial or benefits of, and discrimination under Federally assisted programs or activities on the grounds of race, color or national origin. "Program or activity" is defined to include, among other entities, an LEA, system of vocational education or other school system, or an entire corporation, partnership or other private organization, or an entire sole proprietorship if assistance is extended to the entity or the entity is "...principally engaged in the business of providing education, health care, housing, social services, or parks and recreation...."

F. **Employment Retirement Income Security Act (ERISA),** 29 U.S.C. §§1001-1461, including changes made by the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), 29 U.S.C. §§1161-1169. Provisions of ERISA generally apply to sponsors of and participants in group pension plans; provisions of COBRA generally apply to sponsors of and participants in group health plans..

G. **Equal Educational Opportunities Act,** 20 U.S.C. §§ 1701-1758. Prohibits the denial of equal educational opportunity to an individual based on race, color, sex or national origin by the deliberate segregation by an educational agency of students among or within schools. The prohibition extends to: the failure of an educational agency which has formerly practiced deliberate segregation to take affirmative steps to remove the vestiges of a dual school system; the assignment of students in such a manner as to promote segregation, unless assigned to the neighborhood school; discrimination in employment, employment conditions or assignment of faculty or staff; the transfer of a student from one school to another if the purpose and effect is to increase segregation, or the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in instructional programs. The Act does not require the assignment or transportation of students or teachers in order to overcome racial imbalance. "Educational agency" is defined by section 801(k) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. §1720).

H. **Fair Labor Standards Act,** 29 U.S.C. §§201-219. Applies to an "employer," which is defined to include any person acting directly or indirectly in the interest of an employer in relation to an employee and includes a public agency, but does not include any labor organization (other than when acting as an employer). "Employee" is defined to include any individual employed by an employer, except for certain relatives of an employer engaged in agriculture. Addresses minimum wages, maximum work hours, child labor provisions, prohibited acts, penalties, etc.

I. **Family Education Rights and Privacy Act of 1974,** 20 U.S.C. §1232g. Requires access by parents and eligible students to the student's educational records. Specifies how and when personally identifiable information regarding the student may be disclosed, including requirements for consent and/or notice upon disclosure. Applies to all public schools in Arizona pursuant to A.R.S. §15-141(A).

J. **Immigration Reform and Control Act,** 8 U.S.C. §§1324a, 1324b. Prohibits any person or entity from hiring, recruiting or referring for a fee for employment in the United States an alien, knowing the alien is unauthorized. Hiring such a person through a contract, subcontract or exchange is also prohibited. Also prohibits discrimination on the basis of national origin against an individual, other than an unauthorized alien, in hiring, recruiting or referring for a fee or discharging from employment.

K. **Occupational Safety and Health,** 29 U.S.C. §§651, *et seq*. Requires employers to furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees. Requires employers to comply with safety and health standards promulgated under the statute and requires employees to comply with standards and rules, regulations and orders which are applicable to their individual actions.

L. **Radon Pollution Control Act**, 15 U.S.C. §§2661 to 2671. Applies to any "local education agency," (LEA) as defined at 20 U.S.C. §8801; the owner of any nonprofit elementary or secondary school building; and the governing authority of any school operated pursuant to section 241 of Title 20, relating to impact aid for children who reside on Federal property.

M. **Stewart B. McKinney Homeless Assistance Act**, 42 U.S.C. §11421 to 11432. Makes available grants to States in order to provide a program of literacy training and basic skills remediation for adult homeless individuals within the State and to assure that each child of a homeless individual and each homeless youth have access to a free, appropriate public education.

II. Laws Generally or Specifically Applicable to Charter Schools Which Receive Federal Funding

The following summary provides information regarding several laws which make funds available for specific purposes, which funding may be available to qualified Charter Schools. A few of the laws are generally applicable to any education agency, including a Charter School, which receives any funding from the Federal government; others apply to any recipient of funds specifically from the U.S. Department of Education.

A. **Adult Education Act**, 20 U.S.C. §§1201-1209. Provides grants to States to assist in the funding of adult education programs, services and activities of eligible participants.

B. **Carl D. Perkins Vocational and Applied Technology Education Act**, 20 U.S.C. §§2301-2471. [See especially 20 U.S.C. §2331]. Provides grants to States on a dollar-for-dollar match basis for the purpose of providing programs and activities for vocational teachers and academic teachers working with vocational education students, including corrections educators and counselors, and educators and counselors in community-based organizations, including in-services and preservice training. The programs and activities may include, among other things, the promotion of partnerships among business, education (including educational agencies), industry, labor, community-based organizations, or governmental agencies.

C. **Drug-Free Workplace Act of 1988.** 20 U.S.C. §§702-707. Provides that no person, other than an individual, shall be considered a responsible source for the purposes of being awarded a contract for the procurement of any property or services of a value of $25,000 or more from any Federal agency unless the person has certified that it will provide a drug-free workplace by taking specified steps and providing assurances to the Federal agency that the employer has complied with the terms of the Act.

D. **Individuals with Disabilities Education Act,** 20 U.S.C. §1400-1485. Requires recipients of federal funding under the Act to comply with procedural and due process requirements to ensure that children with disabilities are provided with a free, appropriate public education.

E. **Rehabilitation Act of 1973, Section 504,** 29 U.S.C. §794. Prohibits discrimination in any program receiving federal financial assistance on the basis of disability for otherwise qualified individuals with disabilities.

SECTION 7:

ESTABLISHING A SMALL BUSINESS

SECTION 7:

ESTABLISHING A SMALL BUSINESS

"The Arizona Business Connection, within the Arizona Department of Commerce, is a complete and informative source for small business start-up, expansion and location. The Business Connection is the state's "one-stop-shop" for small business assistance, and a resource for information, referrals, and advice. The office can put a business owner in touch with an entire network of programs and services in every Arizona community. The goal of the Business Connection is to handle needs of small businesses in every stage of development with superior customer service."[1]

The information provided in this section of the Handbook comes from the Arizona Department of Commerce and permission has been granted to reprint it for Charter School applicants. In many ways, starting a school requires the skills of an entrepreneur. The *Guide to Establishing and Operating A Business* will provide answers to many of the questions you will have as you develop your application and start-up your school. A well-formulated business plan and marketing strategies are an important part of the application process.

Trademark and Trade Name Laws and ***Arizona Corporation Commission: General Filing Instructions*** are included in this section. A ***Vendor Registration Form*** is also included. In addition, a customized packet containing the forms you need for starting a business is available from:

Arizona Department of Commerce
Arizona Business Connection
3800 North Central Avenue, Building D
Phoenix, Arizona, 85012
Phoenix (602) 280-1480
Tucson (602) 628-6690
(800) 542-5684
Fax: (602) 280-1339

---

[1] Letter, Arizona Department of Commerce, Phoenix, AZ.

It contains the following:

- Tax Guide for A Small Business, 1994, Publication 334
- Arizona Small Business Association Membership Application
- Arizona Joint Tax Application, ADOR 50-4002 (4/94)
- Arizona Sales Tax, Pub. 610
- A Guide to Taxes for Arizona Businesses, Pub. 611
- Arizona Transaction Privilege Tax, Pub. 602
- Arizona Department of Revenue Transaction Privilege Tax Exemption Certificate, ADOR 5000 (2/94)
- City of Phoenix, Tax and License Division, Article III - Licensing and Recordkeeping, 43-12D Rev. 5/94
- State of Arizona, Workers' Compensation Laws, 1994
- Employers Handbook, Arizona Department of Revenue, PAU-005 (1-94)
- Unemployment Insurance, What You Should Know About Unemployment Insurance in Arizona, Arizona Department of Economic Security

216

ARIZONA
Department of Commerce

Fife Symington
Governor of Arizona

Sara Goertzen Dial
Director

July 7, 1995

MS. KATHY VERVILLE
CHARTER SCHOOLS OFFICE
ARIZONA DEPARTMENT OF EDUCATION
1535 W. JEFFERSON
PHOENIX, AZ 85007

Dear MS. VERVILLE :

The Arizona Business Connection and the Arizona Department of Commerce appreciate your interest in doing business in our state. Arizona is a great state in which to conduct business, and we are pleased to provide you with the following material:

- Arizona Department of Commerce - Business Connection publication entitled *Guide To Establishing A Business*. This booklet provides general information on starting and operating a business in Arizona.
- Secretary of State forms for Trade Name or Trademark Registration. Registration of names and trademarks is not legally required in Arizona but is an accepted business practice. The Secretary of State's Office is located at the State Capitol. The building is located at 1700 West Washington, 7th floor, Phoenix, Arizona 85007. The telephone number is (602) 542-6187. You may also register your business name with the County Recorder.
- A document from the Arizona Corporation Commission which includes both the general instructions and the incorporating documents needed to file with the Commission if you decide to incorporate. Questions concerning this material should be directed to the Arizona Corporation Commission, 1300 West Washington Street in Phoenix. Their telephone number is (602)-542-3135; or 400 West Congress Street, Suite 221, Tucson, Arizona 85701, (520) 628-6560 or statewide toll free (800) 345-5819 To check corporation name availability call (602) 542-3230 in Phoenix or (520) 628-6560 in Tucson.

Your local library has material available on business plans, trade associations, start-up activities, sources of supplies and other resource information to assist you with your business plans. Please contact your local library.

The State of Arizona purchases thousands of goods and services from vendors. The Arizona Department of Administration, State Procurement Office maintains a list of prospective bidders interested in doing business with the State of Arizona. To be included on the master vendor list, request a Vendor Registration Form from the State Procurement Office. The vendor application requires that you list the specific commodity codes that represent the material, service, or construction you provide. The codes are cross-referenced in an index provided with each application. To strengthen credibility, limit your list of selected codes to those in which you are qualified to bid on and intend to bid on a consistent basis.

Arizona statutes require that most state purchases for less than $10,000 be directed to small businesses. For the purpose of this law, small businesses are defined as those with fewer than 100 employees or that had gross receipts of less than $4M in the last fiscal year. Items that are on "term contract" or "state contract" are excluded from this less than $10,000 purchase rule. The agency or board procurement office or State Personnel Office can provide additional details of this program. For additional information on selling goods and services to the State of Arizona, contact the Arizona Department of Administration, State Procurement Office, 1700 West Washington Street, Suite 101, Phoenix, Arizona 85007. The telephone number is (602) 542-5511.

3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012, (602) 280-1300, TDD: (602) 280-1301, Fax: (602) 280-1305

The information we have provided you is based on limited knowledge of your plans. If you have additional questions concerning your business or regulations, please contact the appropriate agency, professional (i.e. attorney, accountant, consultant, etc.) or our office at (602) 280-1480 or (800) 542-5684.

Sincerely,

Jennifer Armstrong

Jennifer Armstrong
Senior Business Development Representative
Arizona Business Assistance Center

JA:prg

GUIDE TO ESTABLISHING AND OPERATING A BUSINESS

A GUIDE FOR SMALL BUSINESS ENTREPRENEURS

BY
THE BUSINESS ASSISTANCE CENTER
ARIZONA DEPARTMENT OF COMMERCE

SUMMER 1995

STATE OF ARIZONA
EXECUTIVE OFFICE

FIFE SYMINGTON
Governor

Welcome Small Businesses!

The State of Arizona welcomes businesses of all sizes, and we recognize the overwhelming value that small businesses provide to our economy and the jobs they provide to our residents. As Governor, and as a business leader, I know how important it is to nurture small businesses. Their unprecedented growth in Arizona is encouraged by the pro-business attitude of our state and local governments.

It has been said that small businesses are the "engine that drives our economy." Indeed, they are responsible for providing significant job growth in Arizona. This is why your small business is important to us.

If you are considering starting, expanding, or relocating a small business, the State of Arizona welcomes you as an entrepreneur. Our favorable business environment, ideal quality of life, and highly educated work force make our stunning surroundings even more attractive.

For more information on what Arizona has to offer you and your small business, please contact the Department of Commerce.

Sincerely,

Fife Symington
GOVERNOR

FS/JD/ja

1700 WEST WASHINGTON, PHOENIX, ARIZONA 85007 • (602) 542-4331

ARIZONA
Department of Commerce

Fife Symington
Governor of Arizona

Sara Goertzen Dial
Director

Dear Business Entrepreneur:

The Arizona Department of Commerce is dedicated to business development, retention and expansion throughout the state. Arizona is recognized as one of the leading states in which to do business because of its excellent economic climate.

The Arizona Business Connection, within the Department of Commerce, is a complete and informative source for small business start-up, expansion or relocation. The Business Connection is the state's "one-stop-shop" for small business assistance, and a resource for information, referrals, and advice. The office can put a business owner in touch with an entire network of programs and services in every Arizona community. The goal of the Business Connection is to handle needs of small businesses in every stage of development with superior customer service.

The success of small business in Arizona is vital to our state's economy. For your small business assistance, please contact us at the Business Connection, Arizona Department of Commerce.

We look forward to doing business with you!

Sincerely,

Sara Goertz-Dial

Sara Goertzen Dial
Director

SGD/ja

3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012, (602) 280-1300, TDD: (602) 280-1301, Fax: (602) 280-1305

ARIZONA

A Spirit of Success

The Arizona Business Connection, whether you are a start-up or a well established business, call for:

- Information on licenses, applications, permits and any other requirements (most state documents may be obtained directly from the ABC office)
- A customized packet containing the forms you need for starting your business
- Information on applicable taxes
- Clarification of government regulations
- Help in communicating and resolving problems with government agencies
- Information on financing
- Referral to local, state and federal agencies
- Referral to professional associations in your field
- Assistance and referral for minority and women owned business entrepreneurs, including certification and procurement
- Information regarding our Minority/Women Owned Business Data Base
- Assistance with employee training information
- Referral to resources for:
  - √ Formulating business plans
  - √ Designing marketing strategies
  - √ Importing and exporting
- Answers to other questions you might have

1912

Department of Commerce
Arizona Business Connection
3800 North Central Avenue
Building D
Phoenix, Arizona 85012
Phoenix (602) 280-1480
Tucson (602) 628-6690
(800) 542-5684
Fax: (602) 280-1339

GUIDE TO ESTABLISHING AND OPERATING A BUSINESS

TABLE OF CONTENTS

SUBJECT PAGE

INITIAL BUSINESS CONSIDERATIONS 7-10
LEGAL FORMS OF BUSINESS ORGANIZATION AND NAME REGISTRATION 7-10
COMPARISON OF BUSINESS STRUCTURES 7-15
ARIZONA TRADEMARK AND TRADE NAME LAWS 7-19
NAMING YOUR BUSINESS 7-20
HOME-BASED BUSINESS 7-21
SELECTING A BUSINESS LOCATION 7-21
TAXATION STATE REQUIREMENTS 7-23
TAXATION FEDERAL REQUIREMENTS 7-24
LABOR REGULATIONS 7-25
ARIZONA BUSINESS ASSISTANCE CENTER 7-26
SELLING GOODS AND SERVICES TO THE STATE OF ARIZONA 7-27
SMALL BUSINESS FINANCIAL ASSISTANCE 7-28
BUSINESS PLAN GUIDELINES 7-32
CHECKLIST FOR GOING INTO BUSINESS 7-43
ADDITIONAL SOURCES OF INFORMATION 7-44
CHAMBERS OF COMMERCE AND ARIZONA ECONOMIC DEVELOPMENT ORGANIZATIONS 7-46
ARIZONA PROCUREMENT TECHNICAL ASSISTANCE NETWORK AND THE PROCUREMENT CENTERS 7-56
ARIZONA SMALL BUSINESS DEVELOPMENT CENTER NETWORK 7-57
ARIZONA SMALL BUSINESS INSTITUTES 7-58
SCORE CHAPTERS 7-59
BUSINESS AFFILIATIONS 7-60

INITIAL BUSINESS CONSIDERATIONS

There are certain functions common in starting or creating a business. Regardless of the type of business, carefully consider the following issues.

Experience and Motivation

- Do you have experience in the type of business you plan to start?
- If not, how will you gain the experience and knowledge to start your business?
- Do you have sufficient drive and motivation to make your business successful?
- Are you prepared for the difficulties and adversities you may encounter in the start-up phase?

The Product or Service

- How is your product or service different from your competitors?
- What is unique about your product?
- Is the price and/or product competitive?
- Why will customers prefer your product or service rather than the competition's?
- How can you measure the demand for your product or service?
- Is the demand changing?
- Will you guarantee or place warranties on the product or service?

The Customer

- Who will buy your product or service?
- How many potential customers exist in the market area?
- How will you attract and retain buyers?

The Competition

- How will you identify your competitors?
- What advantages and disadvantages do you have compared with the competition?
- How many businesses in your field have succeeded and failed, and why?

One of the most important start-up activities is researching all matters related to your business. Preliminary research can be conducted at your local library. Additional information can be gathered through local community and business organizations and assistance programs, examining your competitors or similar businesses, and contacting related industry associations.

LEGAL FORMS OF BUSINESS ORGANIZATION AND NAME REGISTRATION

Establishing a business in the state of Arizona is a simple process. The first step is to determine which form of business organization is most appropriate for your operations. To do this, an analysis of the various legal and tax related implications associated with the forms of business organization must be conducted.

In Arizona, as in all states, several forms of business organization exist. The three most common are the sole proprietorship, partnership, and corporation. Other forms include limited liability company and limited liability partnership. The following section provides a brief description of each, including general advantages and disadvantages. An attorney and/or certified public accountant should be consulted for further information and advice on selecting the legal structure for your business.

Once you have determined the legal structure of your business, the next step is to complete the necessary registration requirements. Most businesses are required to register with either the state and/or county in which the enterprise will operate, and these registration requirements vary.

Sole Proprietorship

The sole proprietorship is the simplest and most common form of business organization. A sole proprietorship is defined as a business that is owned by one individual. The owner is personally responsible for all debts of the firm. Profits are considered as personal income and taxed accordingly.

Advantages of a sole proprietorship include:
- Minimum legal restrictions
- Ease of formation

- Low start-up costs
- Sole ownership of profits
- Maximum freedom in decision-making

Disadvantages of a sole proprietorship include:
- Unlimited liability
- Less available capital than in other types of business organizations
- Relative difficulty in obtaining long-term financing

If the business is going to be a sole proprietorship operating under a name other than your own, you should register the business name (commonly known as "doing business as" or "DBA") with the Arizona Secretary of State's Trademark and Trade Name registration office and the County Recorder of the county in which you will operate. The Secretary of State's office is located at 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007. The telephone number is (602) 542-6187 or statewide toll free (800) 458-5842.

General Partnership

A general partnership is an association of two or more persons joined together to carry on trade or business for profit. As in the sole proprietorship, partners are personally responsible for all debts of the firm. The partnership's existence is usually formalized through preparation of a partnership agreement. Formal partnership agreements should be prepared by, or at least reviewed by, an attorney. In general, partnership agreements outline each partner's share of income, gain, loss, deductions, credits, and methods to dissolve the partnership under various situations including death of one or more partners.

Advantages of a partnership include:
- Ease of formation
- Direct rewards
- Broader management base

Disadvantages of a partnership include:
- Unlimited liability of general partners
- Divided authority in decision-making
- Difficulty in disposing of partnership interest

General partnerships transacting business in Arizona under a fictitious name, or a designation not showing the names of the persons interested as partners, should register the business name "doing business as" or "DBA" with the Arizona Secretary of State's Trademark and Trade Name registration office and the County Recorder of the county in which the business is located. The Secretary of State's office is located at 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007. The telephone number is (602) 542-6187 or statewide toll free (800) 458-5842.

Limited Partnership

This form is similar to the general partnership with several major differences. Some of these differences include:
- At least one person must be identified as a general partner and responsible for the operation and liability of the organization.
- Limited partners are not active managers of the business and are not liable for the organization's debts, etc.

If the business is a limited partnership, domestic or foreign, you are required to register with the Arizona Secretary of State's Trademark and Trade Name registration office, 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007, telephone (602) 542-6187 or statewide toll free (800) 458-5842. The business name should also be registered with the County Recorder of the county in which the business is located.

Limited Liability Partnership (LLP)

Limited Liability Partnership (LLP), is a recent form of business entity in Arizona. For additional information regarding an LLP, please contact an attorney or your local county bar association.

To register a Limited Liability Partnership, domestic or foreign, please contact the Arizona Secretary of State's office, 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007. The telephone number is (602) 542-4285 or statewide toll free (800) 458-5842.

Corporation

A corporation, sometimes referred to as a "C Corporation," is the most complex type of business organization. It is formed by law as a separate ent completely distinct from those who own it, and has its own rights and responsibilities.

In forming a corporation, potential shareholders offer money and/or property in exchange for capital stock. The stockholders are the owners of the corporation and the managers of the firm may or may not be stockholders.

Businesses that incorporate in this state must file Articles of Incorporation with the Arizona Corporation Commission. Out-of-state corporations wishing to do business in the state must file an Application for Authority to Transact Business.

Advantages of a corporation include:

- Separate legal entity
- Limited liability for stockholders
- Unlimited life of the business
- Relative ease in raising capital
- Transfer of ownership through sale of stock
- Ability to draw on the skills and expertise of more than one individual

Disadvantages of a corporation include:

- Complex and relatively expensive to organize
- Activities limited by the corporate charter
- Extensive regulation and record keeping requirements
- Double taxation--once on corporate profits and again on dividends

Incorporation of a business in Arizona involves the following steps:

1. *Make sure that the name you are using has been checked with the Arizona Corporation Commission and is available for use by your corporation. A business name may be reserved for 120 days.*
2. *Deliver the original and one or more copies of the Articles of Incorporation to the Corporation Commission.*
3. *Show a street address for the statutory agent (P.O. Box not accepted).*
4. *File Certificate of Disclosure (included in the incorporation application forms).*
5. *Pay the required fees.*
6. *Advise the commission, in writing, of the fiscal year to be used by the corporation.*
7. *Publish the Articles of Incorporation within 60 days after filing with the Arizona Corporation Commission, which must be published in a newspaper of general circulation in the county of the known place of business in Arizona, three (3) consecutive publications of the Articles of Incorporation. Within 90 days after filing, an affidavit of this publication must also be filed with the Arizona Corporation Commission.*

Foreign Corporation

- *If the business is a foreign corporation (an entity under the laws of another state or foreign country), it must be registered with the Arizona Corporation Commission. Foreign corporations applying for Authority to Transact Business in Arizona must comply with the following at the time of filing:*

1. *Make sure the name that you are using has been checked with the Corporation Commission and is available for use by your corporation. The name may be reserved for 120 days.*
2. *Deliver the original and one or more copies of the Application for Authority to the Corporation Commission.*
3. *Show a street address for the statutory agent (P.O. Box not accepted).*
4. *File Certificate of Disclosure (included in application forms).*
5. *Pay the required fees.*
6. *Advise the Corporation Commission, in writing, of the fiscal year to be used by the corporation.*
7. *Publish the Application for Authority within 60 days after filing with the Arizona Corporation Commission, which must be published in a newspaper of general circulation in the county of the known place of business in Arizona, three (3) consecutive publications of the*

Articles of Incorporation. Within 90 days after filing, an affidavit of this publication must also be filed with the Arizona Corporation Commission.

Additional information on incorporating may be obtained from the Arizona Corporation Commission, Corporations Division, 1300 West Washington Street, Phoenix, Arizona 85007, (602) 542-3135; or 400 West Congress Street, Suite 221, Tucson, Arizona 85701, (520) 628-6560 or statewide toll free (800) 345-5819.

S Corporation

S Corporations, sometimes "S Corporations," elect not to be subject to federal corporate income tax. The shareholders, however, include their shares of the corporation's items of income, deduction, loss, and credit, or their shares of nonseparately computed income or loss, as part of their personal income. To qualify for S Corporation status, a corporation must meet several requirements:

- It must be headquartered in the United States
- It must have only one class of stock
- It must have no more than 35 shareholders
- It must have only individuals and estates as shareholders
- It cannot have any non-resident alien as a shareholder
- It must not be:

    1. A member of an affiliated group of corporations, and it may not have any subsidiaries
    2. A DISC (domestic international sales corporation) or a former DISC
    3. A corporation that takes tax credit for doing business in a U.S. possession
    4. A financial institution that takes deposits or makes loans, or
    5. An insurance company taxed under Subchapter L of the Internal Revenue Code

A corporation, meeting all of the above criteria, can become an S Corporation if: 1) all shareholders consent to the corporation's election of S Corporation status, 2) the corporation has a permitted tax year, and 3) IRS Form 2553, *Election by a Small Business Corporation*, is filed to indicate the choice of S corporation status. The corporation must qualify as an S Corporation at the time it files Form 2553.
For further information on S Corporations, obtain IRS Publication 589, *Tax Information on S Corporations*, from the IRS Forms Distribution Center, Rancho Cordova, California 95743-0001. The telephone number is (800) 829-3676.

Limited Liability Company

Limited Liability Company offers businesses the protection of a corporation and the single taxation feature of a partnership.

Limited Liability Company (LLC) Advantages/Disadvantages vs. Corporate Status:

Business Provisions Advantages:

- Limited disclosure of owners
- Limited documentation (organization and annual)
- No advance IRS filings (as with S Corporation)
- No public disclosure of finances
- Lower filing fees
- Professional LLC's are allowed
- Can build in buy/sell and owner compensation provision - no separate document
- Ease in transfer of ownership
- Can use special allocations between owners
- Can use different classes of owners
- Member (owner) involved in LLC operation insulated from liability
- Can assign management to a non-member

Business Provisions Disadvantages:

- Out-of-state business complicates status
- Large number of owners complicates status
- Death, bankruptcy, or withdrawal of owner could cause problem
- Lack of clear legal precedent

Tax Provisions Advantages:

- No tax at LLC level
- Established and well-seasoned partnership rules apply
- No new Federal ID number required when converting from partnership to LLC
- No withholding tax on owners' salaries
- No double tax on appreciation ("built-in gain")
- More flexible restructuring possible
- No problem with retained earnings
- Easier structuring of debt
- Step-up in tax basis on death of member or sale of interest
- Less tax on owner's retirement pay
- Tax-free distribution of assets possible
- Flexibility in contribution of assets to the LLC
- Member's "outside" expenses not classified as miscellaneous itemized deduction subject to 2% disallowance
-

Tax Provisions Disadvantages:

- Status of self-employed tax on owners uncertain
- Status of sales tax on owner/lessees uncertain

- Some gain on appreciation may be taxed as ordinary income
- Must use calendar year (S Corporation - same rule)
- No shifting of appreciation on contribution of property to LLC

> *To register a Limited Liability Company, domestic or foreign, please contact the Arizona Corporation Commission, 1300 West Washington Street, Phoenix, Arizona 85007, (602) 542-3135; or 400 West Congress Street, Suite 221, Tucson, Arizona 85701, (520) 628-6560 or statewide toll free (800) 345-5819.*

Tax Exempt Organizations (Non-Profit Corporations)

There are over a dozen different types of corporations approved by the Internal Revenue Service as "Non-Profits." These organizations are usually developed and operated exclusively for one or more of the following purposes: charitable, religious, educational, scientific, literary, testing for public safety, fostering amateur sports competition (under certain restrictions), or the prevention of cruelty to children or animals. The organization must be a corporation, community chest, fund or foundation. A sole proprietorship or partnership will **not** qualify. Other organizations that may qualify include: civic leagues, social welfare organizations, labor, agriculture and horticultural organizations, business leagues, social and recreation clubs, fraternal beneficiary societies, etc.

For a free IRS booklet on this subject, call (800) 829-3676 and request publication 557.

> *To register the Non-profit Corporation, contact the Arizona Corporation Commission, 1300 West Washington Street, Phoenix, Arizona 85007, (602) 542-3135; or 400 West Congress Street, Suite 221, Tucson, Arizona 85701, (520) 628-6560* or statewide toll free (800) 345-5819.

The Department of Commerce acknowledges Ira S. Feldman, CPA, of Toback & Company, P.C., Certified Public Accountants, for providing information on the Limited Liability Company.

JOHNSTON MAYNARD GRANT and PARKER, P.L.C.
Attorneys at Law
James P. O'Sullivan, Esq.
Direct Line: (602) 279-8513

COMPARISON OF BUSINESS STRUCTURES

	SOLE PROPRIETORSHIP	GENERAL/ LIMITED PARTNERSHIP	LIMITED LIABILITY COMPANY ("LLC")	S CORPORATION	C CORPORATION
FORMATION ISSUES					
Qualification	No restrictions.	No restrictions for a general partnership. A limited partnership generally needs an individual general partner or a corporate general partner with substantial assets.	No restrictions.	Various eligibility requirements, including a restriction on the number of shareholders and on the ownership of subsidiaries.	No restrictions.
Types of Owners	No restrictions.	No restrictions.	No restrictions.	Ownership is limited to U.S. residents and citizens and to certain U.S. trusts (no corporations, nonresident aliens, partnerships, certain trusts, and pension plans).	No restrictions.
Number of Owners	Only one owner allowed.	At least 2; no upper limits.	At least 2; no upper limits.	No lower limits; upper limit is 35.	No lower or upper limits.
Arizona Filing Required	Fictitious Name Certificate	Certificate of Limited Partnership.	Articles of Organization.	Articles of Incorporation.	Articles of Incorporation.
Publication Required	No.	No.	Articles of Organization.	Articles of Incorporation.	Articles of Incorporation.
Ability to do Business in Other States	Yes.	Yes.	Unclear in those states that do not have an LLC statute.	Yes.	Yes.
Limited Liability of Participants Recognized in Other States	Owner liable.	Yes for limited partner.	Unclear in those states that do not have an LLC statute.	Yes.	Yes.

	SOLE PROPRIETORSHIP	GENERAL/ LIMITED PARTNERSHIP	LIMITED LIABILITY COMPANY ("LLC")	S CORPORATION	C CORPORATION
Formation	Nontaxable.	Nontaxable, unless disguised sale or the partner is relieved from debt.	Nontaxable, unless disguised sale or the member is relieved from debt.	Taxable; however, if the transferors receive only stock and meet the 80% control test of IRC, Section 351, nontaxable except to the extent of debt relief.	Taxable; however, if the transferors receive only stock and meet the 80% control test of IRC, Section 351, nontaxable except to the extent of debt relief.
Fiscal Year	Calendar.	Generally calendar.	Generally calendar.	Generally calendar.	Generally, no restrictions.
OPERATIONAL ISSUES					
Liability for Debts of Entity and Other Liabilities (personal guaranty likely)	Owner liable.	General Partners jointly and severally liable. Limited partners protected unless participate in management.	All members protected.	All shareholders protected.	All shareholders protected.
Participation in Management	No restrictions.	Participation by limited partners generally restricted to preserve limited liability.	No restrictions.	No restrictions.	No restrictions.
Managing Body	Owner.	General partner. Limited partners may not participate in management.	Managers, unless Articles of Organization reserve management to the members. If so, all members can participate in management.	Board of Directors.	Board of Directors.
Officers	No.	No.	Yes, if designated by management. (Management of an LLC may be by managers or the members of the LLC).	Yes, must have at least president and secretary.	Yes, must have at least president and secretary.
Rules for Management of Entity	No.	General or Limited Partnership Agreement.	Operating Agreement (similar to Partnership Agreement and Bylaws).	Bylaws.	Bylaws.

BEST COPY AVAILABLE

	SOLE PROPRIETORSHIP	GENERAL/ LIMITED PARTNERSHIP	LIMITED LIABILITY COMPANY ("LLC")	S CORPORATION	C CORPORATION
Recurring State Public Record Disclosure	Not applicable.	Certificate of Limited Partnership.	Publication of Articles of Organization and Amendments.	Annual Report to Arizona Corporation Commission with balance sheet included. Publication of Articles of Incorporation and Amendments.	Annual Report to Arizona Corporation Commission with balance sheet included. Publication of Articles of Incorporation and Amendments.
TERMINATION ISSUES					
Term	Terminates upon death of owner.	Partnership Agreement specifies term.	Term stated in the Articles of Organization. The Operating Agreement may establish grounds for termination.	Perpetual.	Perpetual.
State Charter Revocation	Not applicable.	Not applicable.	Not applicable.	Corporation Commission can revoke Articles with potential personal liability for owners and taxable liquidation.	Corporation Commission can revoke Articles with potential personal liability for owners and taxable liquidation.
TAXATION ISSUES					
Subject to Federal Income Tax at Entity Level	No. Tax items reported on Schedule C to personal return.	No, if meet Internal Revenue Code tests.	No, if meet Internal Revenue Code tests.	No, however, any shareholder may cause loss of tax status.	Yes.
Will Contribution of Appreciated Property be Taxable?	No.	No, regardless of control by partner, unless recharacterized as sale or partner has net reduction in liabilities in excess of tax basis in contributed property.	No, regardless of control by member.	Yes, except if controls corporation (80% voting power) immediately after transfer.	Yes, except if controls corporation (80% voting power) immediately after transfer.
Levels of Income Tax	Owner level only.	Generally, only partner level.	Generally, only member level if properly formed.	Generally, only shareholder level. However, former C corporation may be subject to tax. In addition, some states will tax S corporations.	Corporate and shareholder level.

	SOLE PROPRIETORSHIP	GENERAL/ LIMITED PARTNERSHIP	LIMITED LIABILITY COMPANY ("LLC")	S CORPORATION	C CORPORATION
Special Allocations of Income and Loss Between Participants	No.	Yes.	Yes.	No, all allocations are pro-rata, since only one class of stock permitted.	Preferences in distributions can be given to certain classes/series of stock.
Deductibility of Losses Attributable to Entity Debt	Owner may deduct losses on Schedule C to personal tax return.	General partners only may deduct partnership losses to extent of basis, unless limited partnership assumes liability, which increases their tax basis in their partnership interest which includes their allocable share of partnership debt. At-risk and passive loss limitations may also apply.	Members may deduct the LLC's losses only to the extent of their tax basis in their LLC interest which includes their allocable share of LLC debt. At-risk and passive loss limitations may also apply.	Shareholders may deduct the corporation's losses only to the extent of their tax basis in their stock which does not include any portion of the corporation's debt. At-risk and passive loss limitations may also apply.	Shareholders may not deduct any of the corporation's losses.
Liquidation	Not applicable.	Nontaxable to the extent of a partner's tax basis.	Nontaxable to the extent of a member's tax basis.	Generally nontaxable at corporate level and taxable at shareholder level via flow-through of corporate tax items.	Taxable to both corporation and shareholders.

NOTES:

1. Arizona recently enacted statutes allowing the formation of limited liability partnerships.
2. Special rules apply to businesses owned and operated by licensed professionals including attorneys, physicians and certified public accountants.
3. This summary is not intended as legal advice. Individual facts and circumstances require consultation with legal counsel.

[1] James P. O'Sullivan (1993)

f:\users\cbrechle\comp3.jpo

The Department of Commerce expresses gratitude to James P. O'Sullivan, Esq. of JOHNSTON MAYNARD GRANT and PARKER, P.L.C., Attorneys at Law, for permission to use this material.

ARIZONA TRADEMARK AND TRADE NAME LAWS

Trademark

A trademark is defined as any word, name, symbol, or device (or any combination thereof) adopted and used by a business to identify goods made or sold by the business and to distinguish them from goods made or sold by others.

Registration of a trademark under the provisions of ARS 44-1445 is not obligatory and is effective only within the state of Arizona. If you use a trademark in states other than Arizona, you should check with the other state governments and with the Commissioner of Patents and Trademarks, Washington, D.C. 20231. Registration of a trademark in Arizona is effective for a term of ten (10) years from the date of registration. Trademark registration may be renewed for an additional ten (10) years if an application is filed within three months prior to its expiration.

A record of all trademarks registered or renewed under the laws of the State of Arizona is available for public examination in the Arizona Secretary of State's Office, 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007. The telephone number is (602) 542-4285 or statewide toll free (800) 458-5842.

Trade Name

According to Arizona law, "any person, partnership, corporation, firm, association, society, foundation, federation, or organization doing business in the state, or any foreign corporation licensed to exercise its corporate powers in this state may register with the Secretary of State . . . the name, title, or designation under which such applicant is operating. . . . "

Registration of a name, title, or designation under the provisions of ARS 44-1460 is effective for a term of five (5) years from the date of registration. Trade Name registration may be renewed for additional five-year periods by filing an application within six months prior to expiration.

For additional information, please contact the Arizona Secretary of State's Office, 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007. The telephone number is (602) 542-6187 or statewide toll free (800) 458-5842.

Copyright

Copyright is a form of protection provided to authors of "original works" including literary, dramatic, musical, artistic and certain other intellectual works. This protection is available to both published and unpublished works. The law generally gives the copyright owner certain rights.

Copyright protects "original works of authorship" that are fixed in a tangible form of expression. The fixation need not be directly perceptible, so long as it may be communicated with the aid of a machine or device.

Copyrightable works include the following categories:

1. literary works
2. musical works, including any accompanying words
3. dramatic works, including any accompanying music
4. pantomimes and choreographic works
5. pictorial, graphic, and sculptural works
6. motion pictures and other audiovisual works
7. sound recordings
8. architectural works

These categories should be viewed quite broadly, for example: computer programs and most "compilations" are registrable as "literary works;" maps and architectural plans are registrable as "pictorial, graphic, and sculptural works."

Several categories of material are generally not eligible for statutory copyright protection. These include among others:

- Works that have **not** been fixed in a tangible form of expression, for example: choreographic works that have not been notated or recorded; or improvisational speeches or performances that have not been written or recorded.

- Title, names, short phrases, and slogans; familiar symbols or designs; mere variations of typographic ornamentation, lettering, or coloring; mere listings of ingredients or contents.

- Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices, as distinguished from a description, explanation, or illustration.

- Works consisting **entirely** of information that is common property and containing no original authorship, for example: standard calendars, height and weight charts, tape measures and rulers, and lists or tables taken from public documents or other common sources.

For additional information, contact the Copyright Office, LM 455, Library of Congress, Washington, D.C. 20559. To speak to a copyright information specialist call (202) 707-5959. The copyright forms and publication "Hot Line" is available 24 hours a day. To request application forms for registration, call (202) 707-9100. Your local library will also have considerable information on this subject.

NAMING YOUR BUSINESS

Naming your business is one of the most critical steps a business owner will take. Unfortunately, in the start-up process, many people do not consider the importance of name selection and its role in the success of their business. You can select a business name yourself, or you can hire a professional to do the search and file the necessary forms. Professional assistance is available from attorneys, public relations or advertising organizations, marketing consultants and trademark agents. A number of books and magazine articles are available from local libraries to help you select a name.

Several terms are used to describe a business name, including trade name; "doing business as" or "DBA;" and fictitious name.

Here are some considerations in selecting a business name:

- The name should be easy to understand, spell, pronounce, remember and find in the telephone directory.
- Will it depict the image you want for the business? This may include the level of service, speed, promptness, quality, skill, low cost, timeliness, experience, effectiveness, etc.
- Can your product or service be listed as part of the name (such as health food or marketing consultants)? This may help customers remember the business name.
- Using individual letters or an acronym may make the name very difficult to find in the telephone directory. Simply adding or deleting periods, spaces or hyphens will move the alphabetical placement of the name in the directory. These simple changes may give your customers difficulty in locating your business.
- Telephone directory listings are alphabetized starting with the first word in a business name. So, first words such as "The", "An" and "A" should be carefully considered before being selected.
- Do not use the terms Corporation, Corp., Incorporated, or Inc. unless your company is incorporated.
- Unusual spelling such as "Kar" for Car may cause your customer difficulty in finding your business name or listing.
- Avoid names similar or identical to those used by another business.

There are four places to register a business name:

- The Arizona Secretary of State's Trademark and Trade Name Office, 1700 West Washington Street, 7th Floor, Phoenix, Arizona 85007, (602) 542-6187 or statewide toll free (800) 458-5842. You may call or visit this office to determine whether the name you have in mind already has been registered. A certificate of registration is mailed in about ten (10) days.
- The County Recorder will register a business name. This involves filing a simple form and remitting the required fee.
- To incorporate your business, contact the Arizona Corporation Commission, 1300 West Washington Street, Phoenix, Arizona 85007, (602) 542-3230; or 400 West Congress Street, Suite 221, Tucson, Arizona 85701, (520) 628-6560. The name may be reserved for 120 days.
- If you are going to be doing business in other states, you may wish to get a Federal Trademark. Registration information may be obtained by calling (703) 308-4357 during normal business hours (Eastern time zone), or you may request the information by mail from the Commissioner of Patents and Trademarks, Washington, D.C. 20231. Request the free booklet *Basic Facts About Trademarks* and an application.

  After an application is filed, a federal examiner conducts a search and notifies the applicant if a conflicting mark is found. The applicant fee covers processing and search costs, which will not be refunded even if a conflict is found and the mark cannot be registered. Processing time is around one (1) year. The initial registration is for ten (10) years and is renewable.

You may contact a trademark professional or attorney to assist in making a preliminary search or you may utilize the official Federal Trademark files at Arizona State University, Noble Science and Engineering Library, Tempe, Arizona 85287. The telephone number is (602) 965-7607.

HOME-BASED BUSINESS

A home-based business must comply with the same license and permit requirements as a business located at a commercial site. This includes applicable sales tax licenses, business or occupational licenses, trade or professional licenses, etc. In addition, home-based businesses must comply with residential zoning and homeowner's associations rules.

One of the first steps you should take in planning a home-based business is to contact the planning and zoning office of your city (or county, if you live outside the city limits). Next, check the rules for your homeowner's association or the deed restrictions on your property to be sure your business activities will be in compliance.

The following list of items indicate most of the concerns of planning and zoning departments and homeowner's associations. Review the following list for items your business may involve. If your business will increase or in some cases create activities in these areas, you may have difficulty obtaining approval to operate from your home.

Traffic	Pollution	Visible
Pedestrian	Solid waste (trash)	Signs
Auto	Noise	Equipment
Pick-up/ Delivery	Smoke	Lights
Parking	Odors	Storage
Employee Cars	Sewage	Blocking garage

Some of the more acceptable businesses for home-based operations involve functions such as personal computer services and other clean, quiet enterprises that have no visible indications they exist inside the home. Other usually acceptable home-based businesses include those in which the entrepreneur's office is located in the home but all of the contacts are made at other locations.

Most zoning rules prohibit homeowners from having a business with employees other than the owner operating from the home. Any business adding to the auto or pedestrian traffic in a neighborhood will also face strong opposition.

Questions concerning state and federal income tax deductions for home office space should be reviewed with an accountant. These deductions are very complex and involve a number of considerations.

Other considerations for home-based businesses should include:

- **Discipline**
  Do you have the discipline to set regular office hours and not be distracted by being in a residential environment?

- **Security**
  If you do have clients visit your home, is your personal safety at risk? If you make visits outside the home, be sure to leave a written trail of your activities that will help someone locate you in case of an emergency.

- **Background Noises**
  Sound from family, pets, television sets or radios are major sources of distraction and do not reflect a positive business image to clients visiting or calling your home.

- **Insurance**
  Check with your insurance agent about any special or additional insurance needs for your home-based business.

SELECTING A BUSINESS LOCATION

There are many factors to consider in selecting a site for your business. The choice of a business location may have a profound effect on the success of your business. Therefore, this action should be done with extreme care and consideration. Some of the items to research and assess include the following:

- **Buy or lease**

One of the first decisions you must make is whether to purchase property and construct a new building, modify the existing building to meet your needs, or lease a site and arrange tenant improvements. There are a number of issues to consider in making this decision. You should consult with an attorney, accountant, banker and real estate professional for assistance and information.

- **Client base**

Where are your current and targeted customers located? Use a map and pins to identify client locations. This information will assist you in selecting a site.

- **Traffic count**

Determine the traffic (foot or auto) passing potential sites. You can make this study or in many cases th city, county or state traffic engineers will provide official counts of auto traffic. Commercial real estate agencies often have considerable research data on this subject, too.

- **"Going Home" side of the street**

Is the site on the "going-home" side of the street? Most people prefer to shop on the way home. Therefore, is the potential site on the right side of the street to make shopping on the way home easy.

Some chambers of commerce have very detailed studies of traffic, existing business data and other valuable information. Contact the local chamber of commerce for additional information and assistance.

- **Demographics**

What changes are taking place in that area? Is the population age shifting? What is the income level? Does the local population fit your target market profile? The U.S. Census Bureau provides considerable information on these and other related items. The telephone number is (303) 969-7750. The local chamber of commerce and library usually have information on area demographics.

- **Type of site**

Commercial locations include individual or stand-alone buildings, neighborhood strip centers with a few stores, power centers with a major tenant and several complimentary businesses, enclosed malls usually with three or more major anchor stores.

- **Nearby stores**

Are neighboring stores compatible or complimentary to your business? Will they help attract business to your establishment?

- **Parking**

Does the site provide adequate parking for your customers **and** employees? Will your customers have to compete with employees of the area businesses to find a place to park? Is the parking lot easy to enter and exit? What is the overall condition of the parking lot? Is it well illuminated at night? Is it well maintained or does oil from parked cars accumulate and get tracked into the businesses? Is adequate parking provided for handicapped customers?

- **Condition of the building**

Carefully check the condition of the building and calculate the modifications required to meet your needs. Does the building and property meet current zoning and other local requirements. Has the owner maintained the building and property or is the location in need of repair? What do other tenants say about the owner's willingness to make repairs and do preventative maintenance?

- **History of the site**

Why is the potential location available? How long has the site been vacant? What caused the previous tenant to leave? If several businesses have failed at that site, you may wish to carefully consider your odds for success.

- **Terms of the lease**

Lease terms can be confusing to the business owner. Many commercial real estate brokers provide a glossary of terms commonly used in leasing space to businesses. Your local library has books and periodicals that cover this subject. Other considerations include dispute resolution, required hours open for business, and is future expansion possible at reasonable rates.

- **Total cost of the lease**

Cost of the lease is calculated a number of ways. Some items to consider include responsibility for:

- Exterior building maintenance
- Modifications to meet your initial needs
- Common area expenses
- Insurance
- Utility costs including air conditioning
- Security services
- Taxes
- Flat lease rate and/or percentage of your business revenue
- Increase in lease based on changes in the consumer price index

- **Professional Representative**

You should obtain professional assistance in negotiating a commercial lease.

Leasing agents or brokers fall into two categories, those who represent *building owners* and those who represent *tenants*. These negotiations may directly affect the success or failure of your business. Therefore, you should always obtain the professional assistance of **your own** real estate broker, attorney, accountant, insurance agent, banker and architect. While many of these items may not seem too important when you are just beginning to look for a site for your business, they are extremely important to the long term success of your business. Choose your business location carefully.

TAXATION
STATE REQUIREMENTS

The State of Arizona maintains a tax environment favorable to business development and expansion. The Arizona Department of Revenue (DOR) is the state agency responsible for administering Arizona's laws relating to taxation. The Department of Revenue coordinates with various local, state, and federal agencies in related tax administration, collection, and distribution issues. The Phoenix office is located at 1600 West Monroe, 1st Floor, Phoenix, Arizona 85007. The telephone numbers are: new businesses and licensing (602) 542-4576 or statewide toll free (800) 634-6494; problems and resolutions (602) 255-2060; and to order forms (602) 542-4260. The East Valley office is located at 1440 East Southern Avenue, Mesa, Arizona 85204, (602) 255-1156. The Tucson office is located at 400 West Congress Street, Suite 100, Tucson, Arizona 85701, (520) 628-6488.

Arizona's Joint Tax Application Questionnaire

To help determine which taxes your business is liable for (exclusive of federal requirements), you must complete Arizona's Joint Tax Application Questionnaire. This single form application was developed by the Departments of Revenue and Economic Security and covers the following license and registration requirements:

- **Transaction Privilege (Sales) Tax License**

Businesses engaged in selling goods at retail must obtain an Arizona Transaction Privilege Tax License. Certain businesses other than retail stores, e.g., restaurants, construction contractors, and printers are also required to be licensed. Individual businesses with multiple locations are required to list the additional locations on the application. This may be accomplished in one of the following ways: 1) each establishment may be licensed as a separate business with a separate license number, or 2) multiple locations may be licensed under a consolidated license number provided the ownership is the same and each location reports business activity separately. DOR also issues a City Transaction Privilege Tax License for Arizona cities which have entered into a joint collection program with the state. The fee varies from city to city and a listing of participating municipalities is found in the application instructions. Businesses locating in cities that do not participate in the joint collection program must contact appropriate municipal officials to obtain the license for that community.

- **Use Tax**

The use tax is a companion tax to the Transaction Privilege Tax. A business which uses, stores or consumes any tangible, personal property upon which tax has not been collected by a retailer shall pay use tax. Important exemptions, however, are contained in ARS 42-1409. If you plan to purchase goods from out-of-state for use in Arizona and those goods would normally be taxed in Arizona, you must obtain a Use Tax Registration Certificate and pay tax on those items. There is no fee for the certificate. Businesses are required to remit tax payments on a monthly basis or as transactions occur.

- **Wholesale Tobacco Dealer's License**

If your business sells tobacco products at wholesale, you must obtain a Tobacco Dealer's License. The license must be renewed annually.

- **Corporate Income Tax**

Arizona has adopted a flat corporate income tax rate structure. For tax rates contact the Arizona Department of Revenue (602) 542-3345 or statewide toll free (800) 352-4090. Arizona does not impose a unitary tax on the operations of multinational companies. The state income tax code conforms to federal net operating loss provisions. Corporations with headquarters in Arizona are exempt from paying taxes on dividends they receive from subsidiaries, provided the parent company owns at least 50% of th subsidiary.

Corporate income tax returns and final payments are due on the fifteenth day of April following the close of the calendar year. If the company's return is filed on the basis of its fiscal year, the return will be due on the fifteenth day of the fourth month following the close of the fiscal year. Most firms in Arizona, except very small ones, are required to make estimated income tax payments throughout the year.

- **Property Taxes**

In Arizona, both real and personal property (unless specifically exempt) are subject to taxation. Taxes are classified as either primary or secondary. Primary taxes are used to meet most operating expenses of local jurisdictions. Secondary taxes are used to meet special obligations such as payments of bonds and special district levies, as well as voter-approved overrides. Class 3 properties (commercial and industrial) are "locally assessed" and the full cash value of these properties is set by the County Assessor.

Total property tax liability is calculated by adding primary and secondary taxes for all jurisdictions in which the property is located. Real and personal property tax payments are collected by the County Treasurer.

Unemployment Insurance

The unemployment insurance program, for more than 50 years, has provided a measure of economic security to the individual worker and the community when unemployment beyond the worker's control occurs.

You, as an employer, have a key role in the success of this program. Unemployment benefits are paid through your state unemployment taxes, while the Federal Unemployment Tax (FUTA) funds the administrative costs of the program.

Your tax rate is based, in part, on your actual experience with unemployment insurance -- a variable over which you can exercise some control. You may save tax dollars by familiarizing yourself with the program and being aware of your rights and responsibilities. For example, you can reduce your federal unemployment taxes by paying your state taxes on time. You can ensure that unemployment benefits are properly paid by providing information about former employees.

Posters, pamphlets and additional information on Arizona's unemployment insurance program may be obtained from the Arizona Department of Economic Security, Unemployment Insurance Information Division, 2801 North 33rd Avenue, Phoenix, Arizona 85009, (602) 255-4807; or 400 West Congress Street, Suite 450, Tucson, Arizona 85701, (520) 628-6820.

TAXATION FEDERAL REQUIREMENTS

If your business has one or more employees, you will be required to withhold federal income tax from their wages. Your business will be liable for social security contributions under the Federal Insurance Contributions Act (FICA) and for Federal Unemployment Tax under the Federal Unemployment Tax Act (FUTA).

Every employer subject to employment taxes is required to have an Employer Identification Number. If you have not applied for your identification number, you should obtain an application (Form SS-4) from the Internal Revenue Service, Ogden, Utah 84201, (801) 620-7645.

Federal Income Tax Withholding

Generally, you must withhold income tax payments from wages you pay employees if their wages for any payroll period are more than the amount of their withholding allowances for that period. The amount to be withheld is figured separately for each payroll period. A payroll period is the period of time for which you usually make a payment of wages to an employee. You should not withhold tax from the wages of employees who claim exemption from withholding.

Federal withholding generally should be figured on gross wages before any deductions for social security tax, pension, union dues, insurance, etc., are made. You may figure the withholding by any of several methods, the most common of which are the percentage method of withholding and the wage bracket method. IRS Publication 15, Employer's Tax Guide, contains the applicable tables and instructions for using both of these withholding methods. Your accountant is an invaluable source of information for your specific situation.

Social Security Taxes (FICA)

The Federal Insurance Contributions Act (FICA) provides for a federal system of old age, survivors, disability, and hospital insurance. This system is financed through social security taxes, also known as FICA taxes. FICA taxes are levied on both you and your employees. You, as an employer, must collect and pay the employee's part of the tax. You are also liable for your own (employer's) share of FICA taxes.

Federal Unemployment Tax (FUTA)

The Federal Unemployment Tax System, together with the state system, provides for payments of unemployment compensation to workers who have lost their jobs. Most employers pay both a state and federal unemployment tax. This is important because even if you are exempt from state tax, you may still be required to pay the federal tax. You should contact an IRS representative to determine whether you must pay Federal Unemployment Tax (FUTA).

Specific questions concerning federal tax rules and regulations should be directed to the Internal Revenue Service at 210 East Earll Drive, Phoenix, Arizona 85012. The telephone number is (602) 640-3900 or statewide toll free (800) 829-1040.

The IRS also makes the following publications available through the IRS Forms Distribution Center, Rancho Cordova, California 95743-0001. The toll free number is (800) 829-3676.

- Publication #334
  Tax Guide for Small Business
- Publication #15
  Employer's Tax Guide (Circular E)
- Publication #509
  Tax Calendar & Check List

LABOR REGULATIONS

The Arizona Labor Department of the Industrial Commission is responsible for administering the state's laws which relate to labor. These statutes include the payment of wages, employment practices, the employment of children, and the licensing of private employment agencies.

Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) is a federal law administered by the Wage and Hour Division of the U.S. Department of Labor. This law establishes minimum wage, overtime pay, and child labor standards for employers. The Arizona Labor Department has jurisdiction over all businesses in the state which are not covered by the FLSA. The Arizona Labor Department also shares jurisdiction with the Wage and Hour Division when both federal and state law are the same. To determine if your business is subject to the FLSA, you should contact the Federal Wage and Hour Division of the U.S. Department of Labor at 3221 North 16th Street, Suite 301, Phoenix, Arizona 85016, (602) 640-2990; or 300 West Congress Street, Tucson, Arizona 85701, (520) 670-4899.

Wage Payment Laws

Wages in Arizona are determined by agreement between the employer and employee. Every employer in the state must have at least two (2) regular paydays not more than sixteen days apart each month. Arizona law permits five (5) working days between the end of a pay period and the payment of wages earned during that pay period. An employee who is discharged must receive all wages due within three (3) working days. If an employee quits, that employee must be paid all wages due no later than the regular payday for the pay period in which the termination occurred.

Minimum Wage and Overtime

Arizona does not have a minimum wage or overtime law. Employers who are covered by the Federal Fair Labor Standards Act must comply with the Law's minimum wage and overtime provisions. If not covered by the federal statutes, employers are free to set wage and hour policies of their choosing.

Arizona has established special laws relating to the employment of children. For questions regarding these rules, please contact the Arizona Labor Department of the Industrial Commission at 800 West Washington Street, Phoenix, Arizona 85007. The telephone number is (602) 542-4515.

Right-to-Work Legislation

Arizona is a right-to-work state. The Right to Work Law is embodied in ARS 23-1302 and states that "No person shall be denied the opportunity to obtain or retain employment because of non-membership in a labor organization." This section also prohibits any kind of agreement which excludes a person from employment because of non-membership in a labor organization.

Reprints of Arizona's labor laws and additional information may be obtained from the Arizona Labor Department of the Industrial Commission at 800 West Washington Street, Phoenix, Arizona 85007, (602) 542-4515; or 2675 East Broadway Blvd., Room 201, Tucson, Arizona 85716, (520) 628-5188.

Safety Regulations

The Industrial Commission of Arizona, under the Occupational Health and Safety Act of 1970, is the state agency charged with regulating industrial plants for fire, health, and safety requirements. The safety standards enforced in Arizona are the same standards used by the U.S. Department of Labor. Arizona provides a consultation program from which businesses can obtain information to determine whether their facilities are in compliance with safety standards. For further information on the Occupational Health and Safety Act of 1970, contact the Industrial Commission of Arizona, Safety Division, 800 West Washington Street, Phoenix, Arizona 85007, (602) 542-5795; or 2675 East Broadway Blvd., Room 206, Tucson, Arizona 85716, (520) 628-5478.

Discrimination in Employment

Title VII of the Civil Rights Act of 1964 is the federal law which prohibits employment discrimination based on race, color, religion, sex, or national origin. The Age Discrimination in Employment Act, the Equal Pay Act, the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended, also protect employees from discrimination. The Equal Employment Opportunity Commission is responsible for administering the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and the Equal Pay Act. The Office of Federal Contract Compliance administers the Rehabilitation Act of 1973. In Arizona, the U.S. Equal Employment Opportunity Commission is located at 4520 North Central Avenue, Suite 300, Phoenix, Arizona 85012. The telephone number is (602) 640-5000.

The Civil Rights Division of the Attorney General's Office administers the Arizona Civil Rights Act. Un Arizona law, it is unlawful for an employer to discriminate in employment because of race, color, religion, sex, age, handicap, or national origin.

Additional information on Arizona's civil rights laws may be obtained from the Attorney General's Office, Civil Rights Division at 1275 West Washington Street, Phoenix, Arizona 85007, (602) 542-5263; or 400 West Congress Street, Suite 215, Tucson, Arizona 85701-1367, (520) 628-6500.

Arizona's Workers Compensation Insurance

The Industrial Commission administers the Workers Compensation Law. The purpose of workers compensation insurance is to provide medical benefits and compensation to covered employees injured by accidents arising out of and in the course of their employment. The law requires public and private employers with regularly employed workers to carry workers compensation insurance. "Regularly employed" includes all employments, whether continuous throughout the year or for only a portion of the year.

Employers are required to bear the entire cost of Workers Compensation Insurance. Companies may choose to insure their employees in any one of three ways: 1) by insuring with the State Compensation Fund, 2) by insuring with another authorized insurance carrier, or 3) by qualifying as a self-insurer under the rules and regulations of the Industrial Commission. Premium rates are based on the National Council on Compensation Insurance schedules which are compiled from the experience factors of all of Arizona's workers compensation carriers. Working partners and sole proprietors also may elect coverage under the law.

For additional information on Arizona's Workers Compensation Insurance, contact the State Compensation Fund at 3030 North 3rd Street, Suite 110, Phoenix, Arizona 85012-2855, (602) 631-2900.

ARIZONA BUSINESS ASSISTANCE CENTER

The Arizona Business Assistance Center is designed to assist anyone wishing to start, expand or relocate a business in Arizona. The office works directly with all government agencies to assist small businesses in Arizona. There are three functions operating within the Arizona Business Assistance Center: the Arizona Business Connection; the Minority/Women-Owned Business Services; and the Small Business Advocate.

Arizona Business Connection

The Arizona Business Connection meets the needs of businesses in every stage of development. Whether you have just begun to think about starting a company, you are already well established, or you are relocating your business to Arizona, the Business Connection is here for you.

The Business Connection is a resource for information, referrals, assistance and advice. The office is the state's one-stop service center, which can put a business in touch with an entire network of programs and services that are available to assist them. A free customized packet of material is available. The packet includes most required license applications, information on assistance programs, and other material designed to provide maximum support to the entrepreneur.

For additional information, contact the Arizona Business Connection, Arizona Department of Commerce, 3800 North Central Avenue, Building D, Phoenix, Arizona 85012. The telephone number is (602) 280-1480 or statewide toll free (800) 542-5684.

Minority/Women-Owned Business Services

Arizona's minority population is 31.4% of the total, with many businesses owned by minorities or women. The Office of Minority/Women-Owned Business Services (M/WBE) at the Department of Commerce was established in July 1994, by Governor Fife Symington and the Arizona legislature, to help state agencies procure goods and services from qualified minority/women-owned firms.

The Office of Minority/Women-Owned Business Services maintains a database of minority and women-owned companies throughout Arizona. This information is provided to state agencies and helps state procurement personnel locate qualified vendors. In addition, the program helps notify business owners of bid opportunities with state agencies and private companies. The office also works with the Arizona Department of Transportation to certify minority and women-owned companies located in rural communities. Certification may be necessary if businesses wish to participate in minority purchasing programs of federal and local governments. Certification includes completing an application and submitting appropriate documents to provide verification if a business is owned and operated by a minority or woman entrepreneur.

In order to qualify as a minority/women-owned business, a company must be managed and operated on a daily basis by one or more minorities or women.

These individuals must also own at least 51% of the business. Minorities include Native Americans, Hispanic Americans, African Americans and Asian Americans.

For additional information, contact the Office of Minority/Women-Owned Business Services, Arizona Department of Commerce, 3800 North Central Avenue, Building D, Phoenix, Arizona 85012. The telephone number is (602) 280-1476 or statewide toll free (800) 542-5684.

Small Business Advocate

In May 1994, Governor Fife Symington appointed an advocate for small businesses. The Small Business Advocate is responsible for keeping an open line of communication between the Governor and small businesses in Arizona. The advocate works with the chambers of commerce and other advocacy groups to develop policies and programs that will address fundamental statewide issues of concern to all small businesses. The advocate also works with the state legislature in concert with resources and other business advocates on legislation that supports the growth and stability of small business.
In addition, the advocate interacts with state regulatory agencies to improve their responsiveness to small businesses and assists entrepreneurs in resolving matters involving state government offices.

For additional information, contact the Small Business Advocate, Arizona Department of Commerce, 3800 North Central Avenue, Building D, Phoenix, Arizona 85012. The telephone number is (602) 280-1480 or statewide toll free (800) 542-5684.

SELLING GOODS AND SERVICES TO THE STATE OF ARIZONA

The State of Arizona purchases thousands of goods and services from vendors. The Arizona Department of Administration, State Procurement Office maintains a list of prospective bidders interested in doing business with the State of Arizona. To be included on the master vendor list, request a vendor registration form from the State Procurement Office. The vendor application is divided into two parts, commodities and services. The application requires that you list the specific commodity codes that represent the material, service, or construction you provide. The purpose of this division is to help buyers properly target your specific goods and services for notification of bid opportunities. To strengthen credibility, limit your list of selected codes to those in which you are qualified to bid and intend to bid on a consistent basis. Vendors that fail to respond on two consecutive procurements of similar items, upon notice from the State Procurement Office, may be removed from the applicable list.

The State of Arizona uses several methods for receiving bids. The process is described in the material provided with the vendor application information.

The State Procurement Office handles centralized purchases for some products and services. In addition, this office establishes "term contracts" or "state contracts" for common-use items (e.g. vehicles, office copiers, microcomputers, etc.). There are approximately 200 such contracts covering 10,000 items. If an item is on "term contract" or "state contract," all State agencies governed by the Arizona Procurement Code are required to buy from the state contract unless the State Procurement Office approves a variance. In addition to state agencies, more than three hundred eligible procurement units (counties, cities, school districts and non-profit educational or public health institutions) have signed a Cooperative State Purchasing Agreement with the State Procurement Office that permits such entities to also make purchases through eligible state contracts. State contract information is distributed to all state agencies and the eligible procurement units; thereby allowing these organizations to issue a purchase order directly to the contract vendor without going through the State Procurement Office.

Many state agencies and boards are authorized to handle their own smaller purchases of some goods and services. A few of the larger state agencies have been authorized to handle most of their own purchases directly with vendors. A list of these agencies and boards is available from the State Procurement Office

Arizona statutes require that most state purchases for less than $10,000 be directed to small businesses. For the purpose of this law, small businesses are defined as those with fewer than 100 employees or that had gross receipts of less than $4 million in the last fiscal year. Items that are on "term contract" or "state contract" are excluded from this less than $10,000 purchase rule. The agency, board procurement office, or State Personnel Office can provide additional details of this program.

Once you have submitted a vendor application to the State Procurement Office and your business has been added to the official state vendor list, there are several methods to become aware of bid opportunities.

- Approved vendors are notified by the State Procurement Office of larger procurement requests. Notification is directed to registered vendors that have indicated their qualification to sell the product or service being requested.

- Vendors wishing to sell directly to agencies that are authorized to do their own purchasing must contact the agency's designated procurement office. A list of these agencies and procurement offices is available to registered vendors from the State Procurement Office. Selling directly to state agencies or boards requires the vendor to make regular professional sales calls on potential buyers at the various state offices.

- Most major state and other local federal government bid opportunities are listed with the Arizona Procurement Technical Assistance Network (APTAN), a non-profit statewide program designed to assist small, minority, and women-owned businesses in the government purchasing arena. The program's primary objective is to increase the number of Arizona businesses which are qualified to compete for federal, state, and local government contracts and subcontracts.

See the section in this booklet on the Arizona Procurement Technical Assistance Network and the Procurement Centers for additional information on the vendor bid process.

For additional information on selling goods and services to the State of Arizona, contact the Arizona Department of Administration, State Procurement Office, 1700 West Washington Street, Suite 101, Phoenix, Arizona 85007. The telephone number is (602) 542-5511.

SMALL BUSINESS FINANCIAL ASSISTANCE

Nearly all small business lenders will have common areas of interest to discuss with borrowers. As a small business owner seeking financing, you should be prepared to fully answer the following:

- Size of Loan
  Be specific! Be prepared to clearly identify the total funds needed.

- How funds are to be used
  Again be specific! You should be prepared to provide a detailed outline of the use of loan funds. Most loans are for one of the following:

  1. Purchase new equipment (to increase or improve production).
  2. Pay off existing debts.
  3. Expand the business without adding equity.

- Why your company is a good credit risk
  Explain briefly, why your company has been and will continue to be a good credit risk and how this loan will help your company.

- Pay back plan
  Clearly show how your company will be able to repay the loan. Information must include cash flow projections. Your detailed business plan will provide valuable information for your lender.

- Alternative pay back plan
  Collateral will be required on your loan. The alternative pay back plan clearly shows the lenders how the loan will be paid if your business fails. While no one wishes to discuss a possible failure, the lender will insist on collateral or security to back up your business cash flow which is your primary source of funds to repay the loan. If the cash flow does not provide sufficient and timely funds to repay the loan, the lender will turn to an alternative source. This collateral or secondary source of repayment must be established at the time the loan is negotiated. Many lenders will expect business owners to have an excellent credit record and to personally guarantee the loan.

Commercial Banks

In Arizona, most businesses seek credit financing through their commercial bank. Commercial banks provide the business community with a variety of financing options such as revolving lines of credit, commercial installment loans, and letters of credit. The interest rate is based on current market conditions, risk involved, and term to maturity.

A loan officer from your bank will discuss which type of loan will best meet your needs and outline the application procedures. A variety of loan arrangements, depending on the business's size and needs, are also available through personal finance companies, commercial finance companies, insurance companies, and mortgage bankers.

Small Business Administration (SBA)

One of the major sources of financial assistance from the federal government is the Small Business Administration. The SBA provides loan guarantees to banks for small businesses. SBA loans may be used for a) business construction, expansion, or conversion, b) purchase of machinery, equipment, facilities, supplies or materials, and c) working capital.

- **504 Loan Program**

The 504 loan program provides long-term, fixed-rate financing to businesses to purchase land, buildings, machinery, and equipment. The 504 loans are made by a certified development corporation (CDC), which are guaranteed by the Small Business Administration (SBA). The CDC can provide 40% of the loan project, a conventional lender or bank provides 50% of the loan project, and the business is required to provide at least 10% equity contribution. The term of the loan is from 10 to 20 years, depending on use of proceeds. The interest rate is approximately 1.5% over 10-year T-bonds. To qualify for an SBA 504 loan, a small business must have been in operation for more than two (2) years. A business is considered small if its net worth does not exceed $6 million and its net income over two (2) years does not exceed $2 million. Applicants must provide two (2) years of financial statements, a current financial statement, and a projection plan of how the debt (loan) will be paid off. The goal of the 504 program is to create one job for every $35,000 of public dollars (504 funds) invested, or to finance projects with a significant community impact. The maximum loan amount is generally the lesser of $750,000 or 40% of total project cost, and may be up to $1,000,000 in certain cases.

Any company needing further information should contact the Small Business Administration at 2828 North Central Avenue, Suite 800, Phoenix, Arizona 85004. The telephone number is (602) 640-2316. You may also contact a conventional lender or bank authorized to make such loans.

- **7A Loan Program**

The 7A loan program provides financing to businesses for working capital, debt refinance and consolidation, and start-up financing. A conventional lender or bank makes the loan and the SBA guarantees up to 90% of the loan. The term of the loan is from 5 to 25 years, depending on use of proceeds. The interest rate is capped at 2.75% over the prime rate. To qualify for an SBA 7A loan, a small business must demonstrate sufficient cash flow to repay debt, provide adequate collateral to secure the loan, and have satisfactory management expertise and commitment for a successful operation. The 7A guaranty maximum is $500,000.

Any company needing further information should contact the Small Business Administration at 2828 North Central Avenue, Suite 800, Phoenix, Arizona 85004. The telephone number is (602) 640-2316. You may also contact a conventional lender or bank authorized to make such loans.

- **Low Documentation**

The Small Business Administration has a loan guarantee program called "LowDoc" or Low Documentation. This loan program encourages financial institutions to make loans from $2,500 to $100,000 to credit worthy small businesses. For more information regarding the "LowDoc" program, please contact the financial institution of your choice.

Any company needing further information should contact the Small Business Administration at 2828 North Central Avenue, Suite 800, Phoenix, Arizona 85004. The telephone number is (602) 640-2316. You may also contact a conventional lender or bank authorized to make such loans.

Venture Capital

Venture capital firms provide equity financing to small business. This equity position usually ranges from 10% to 40%. The typical venture capital company considers a great number of proposals each year, although very few actually receive financing. Most venture capitalists indicate they are interested in proposals requiring an investment in the area of $250,000 to $1,500,000. If you believe your company offers a unique product or service and has the potential to generate substantial profits, your proposal might be of interest to venture capitalists. Venture capital financing is not commonly available for start-up businesses.

Inquiries may be made directly to the venture capital firms or through the technology transfer channels of Arizona's major universities.

Work Force Recruitment and Job Training Program

The Work Force Recruitment and Job Training Program, administered by the Arizona Department of Commerce, assists businesses with recruitment and training of new employees. The objective of the program is to provide short-term, customized training to expanding businesses, businesses relocating to the state, and businesses undergoing economic conversion, in order to enhance Arizona's economy and create new quality jobs for residents of the state. The program funds are awarded in grants, and are available to businesses creating new jobs in Arizona. Some of the criteria considered to determine if a company is eligible for the program are business location, industry type, wage levels, number of new jobs to be created, and benefits provided to employees. Program guidelines require businesses to have a two-year operating history. The funds can be used for such costs as: employee recruitment, training materials, leased equipment for training, trainer costs, training design, project management, administrative and support costs, and limited travel. There is a set-aside of program funds for rural and small businesses.

For further information, contact the Strategic Finance Division at the Arizona Department of Commerce, 3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012. The telephone number is (602) 280-1341.

Arizona Enterprise Zones

The primary goal of the Arizona Enterprise Program is to improve the economies of distressed areas in the state. The program does this by enhancing opportunities for private investment in certain areas, called enterprise zones. The state and local communities provide incentives to foster investment in these areas, and to reduce or remove unnecessary governmental regulatory barriers to economic development. Increased investments in such areas tend to strengthen property values (or keep property values from falling), raise employability for disadvantaged workers and promote the vitality of such areas.

Arizona statutes provide for an income tax credit for a net increase in employment of qualified employees (disadvantaged or dislocated workers) at a site in an enterprise zone. A property tax incentive exists for qualified manufacturing businesses locating or expanding facilities in an enterprise zone. In addition to tax savings, an enterprise zone location gives business preferential consideration for loan and job training programs administered by the Arizona Department of Commerce.

For further information, contact the Strategic Finance Division at the Arizona Department of Commerce, 3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012. The telephone number is (602) 280-1341.

Other Small Business Financial Assistance Resources

Arizona Export Loan Guarantee Program
Strategic Finance Division
Arizona Department of Commerce
3800 North Central Avenue, Suite 1500
Phoenix, Arizona 85012
(602) 280-1341

Arizona Hispanic Chamber of Commerce-REVIVE Arizona!
2400 North Central Avenue, Suite 303
Phoenix, Arizona 85004
(602) 252-1101
(800) 742-8269

Arizona MultiBank
101 North 1st Avenue
Phoenix, Arizona 85003
(602) 594-4444

Business Development Finance Corporation
345 East Toole Avenue, Suite 300
Tucson, Arizona 85701-1823
(520) 623-3377
(800) 264-3377

•

2200 East Camelback Road, Suite 110
Phoenix, Arizona 85016
(602) 381-6292

Chicanos Por La Causa-Phoenix
501 West Apache Street
Phoenix, Arizona 85003
(602) 252-0482

Chicanos Por La Causa-Tucson
1525 North Oracle Road, Suite 105
Tucson, Arizona 85705
(520) 882-0018

City of Chandler-Economic Development, Gap-Financing, and Expansion Loan (EDGE) Program
Economic Development Section
200 East Commonwealth Avenue
Chandler, Arizona 85225
(602) 786-2491

City of Phoenix--Expansion Assistance and Development (EXPAND) Program
Community and Economic Development Department
Small Business Programs
200 West Washington Street, 20th Floor
Phoenix, Arizona 85003
(602) 262-5040

Export Import Bank of the United States-Working Capital Guarantee Program
222 North Sepulveda Blvd., Suite 1515
El Segundo, California 90245
(310) 322-1152

•

811 Vermont Avenue North West
Washington, D.C. 20571
(202) 565-3900
(800) 565-3946

First Commerce and Loan LP-Small Business
Investment Company Program
5620 North Kolb Road, Suite 260
Tucson, Arizona 85715
(520) 298-2500

First Interstate Equity Corporation-Small Business
Investment Company Program
100 West Washington Street
Phoenix, Arizona 85003
(602) 528-6647

Micro Industry Credit Rural Organization
802 East 46th Street
Tucson, Arizona 85713
(520) 622-3553

Phoenix Local Development Corporation
201 North Central Avenue, Suite 2700
Phoenix, Arizona 85020
(602) 495-6495

Revolving Energy Loans For Arizona (RELA)
Strategic Finance Division
Arizona Department of Commerce
3800 North Central Avenue, Suite 1500
Phoenix, Arizona 85012
(602) 280-1341

Self-Employment Loan Fund
201 North Central Avenue, Box 2150
Phoenix, Arizona 85073
(602) 340-8834

Small Business Innovation Research Program
High Technology Office
Arizona Department of Commerce
3800 North Central Avenue, Suite 1200
Phoenix, Arizona 85012
(602) 280-1402
(800) 352-5499

Southwest Venture Capital Network, Inc.
1 East Camelback Road, Suite 1100
P.O. Box 60756
Phoenix, Arizona 85082-0756
(602) 263-2390

BUSINESS PLAN GUIDELINES

The following pages contain guidelines that are intended to help you develop and write a plan for your business. Your business plan is very important to your success. It represents your "road map" toward a successful venture.

This set of guidelines does not address every aspect of every possible business plan. You should consider more questions than those that are posed in each section - be sure to ask them - your success depends on the completeness of your planning process.

Each numbered section below (I, II, III, etc.) should be a page heading, while other underlined items will probably be one to three paragraphs long.

I. TITLE PAGE

The Title Page should contain the following items, double-spaced, horizontally centered, and positioned just above the center of the page:

Business Name
Business Address
Business Telephone
Owner's Name(s)

II. TABLE OF CONTENTS

The Table of Contents should list the title of each section of the document and indicate the page number where each is located. It should also list specific support items (appendices) by name. This page will be done last, since it requires the entire document as input. It allows the reader to quickly locate specific sections.

III. BUSINESS CONCEPT OR EXECUTIVE SUMMARY

The Business Concept, or Executive Summary, should be a one-page explanation of what your business is, and its competitive advantage. Provide a clear description of the industry in which you are competing, and a precise explanation of your business's unique qualities that sets your venture apart from others who are competing for the same customers.

Your explanation should answer these questions:

- In what general market does your business compete?
- What does your business do?
- What quality image will it have?
- In what price range will it compete?
- What volume of sales is expected?
- What customer needs are met?
- What makes it unique from the competition?

IV. MARKETING PLAN

This section should contain a narrative description of the following five factors:

A. Industry Description and Outlook

1. Describe your primary industry.

2. Describe the size of the industry.

Historically:

Currently:
- What is the total expected market volume?
- What is the growth potential in five years? in ten years?

3. Describe your industry characteristics and trends.

Historically:

Currently:
- What benefits are sought by the market that your product/service will satisfy?
- Where is your industry in its life cycle?
- Future potential.

4. Describe your customer base.

Consumers - It is important for you to develop a **clear, mental picture** of your ideal customer.

Describe your potential customers using the following factors:
- Age
- Sex
- Income Level
- Education Level
- Geographic Location
- Occupational Area
- Leisure Interests
- Buying Habits
- Goals and Aspirations

Businesses - If you intend to provide a product or service to **another business**, your description would include:

- Type of business (service, retail, manufacturing, etc.)
- Size of business
- Priority placed on purchasing your product
- Projected image of the business
- Markets that the business services
- Trade publications read by the business
- Trade organizations and memberships of the business

B. Competition

A description of your competition should answer the following questions:

- Who are your major competitors?
- Why are they successful?
- What substitutes are there for your product?
- What impact do these substitutes have on your sales?
- What distinctive differences separates you from your competitors?
- Why should customers leave your competitors to choose your product?
- What market share do you expect to get? Why?

C. Location Analysis

Describe your business location and how it will enhance the sale of your product or service. Your description should answer the following questions:

- What strategic advantages do you have at this location?
- Is there opportunity for expansion?
- What are the neighboring businesses?
- Do they complement/detract from yours?
- Are building renovations needed? Cost?
- What is the zoning classification?
- Is the neighborhood stable, changing, improving, deteriorating? How?
- How is customer access, parking, etc.?

(NOTE: Include in the appendix a photograph of the building, a drawing of the immediate area showing road access and identity of adjoining businesses, and a drawing of the floor plan of your business.)

D. Price Determination

A description of the price structure for your product or service will answer the following questions:

- What price will you set for your product?
- How does your price compare with the competition's?
- Why will customers pay your price?
- What image will be projected by this price?
- What special advantages do your customers get that is included in the price?
- Will you offer credit terms?

E. Marketing Approach

A description of your marketing effort should answer the following questions:

- What are the preliminary or test market results?
- How does your product or service satisfy your customers' needs and wants?
- How will your image be clearly and consistently conveyed to potential buyers?
- Which media are most suitable? Why?
- How will you evaluate the effectiveness of each advertising and promotional effort?
- How will a sales staff be used? Evaluated?

V. MANAGEMENT PLAN OR OPERATIONAL PLAN

This section contains a description of who will run the business and how they will do it, including the following?

A. Management Team

Your description of how the business will be managed will answer the following questions:

- What management background do you have?
- What is your business track record?
- How is the education and/or experience of key people related to this type of business?
- What legal form (corporation, partnership, proprietorship, etc.)?
- Who does what? Who reports to whom?

- What other resources (accountant, lawyer, etc.) will be used?

(NOTE: Include in the appendix the resumes for key personnel.)

B. Employee Relations

Your description of your methods for hiring, training, and communicating with your staff will answer the following questions:

- What are your personnel needs now? In the future?
- What skills will be required?
- How will you go about hiring and training?
- What salary and benefits will be provided?
- How will you determine and communicate wage increase to employees?
- What personnel policies will be provided to your employees?

C. Operational Controls

Your description of the kinds of management systems and how they will be used will answer these questions:

- What is your production capacity?
- What operating advantages do you have? How will you capitalize on them?
- What elements are critical to your success? How will you make sure they are available?
- What will be key indicators of success?
- How will you monitor these factors?
- What hazards do you anticipate for your business? What protection and/or alternate plans do you have?
- What policies will you establish for the operation of your business?

VI. FINANCIAL PLAN

A description of how your business will be financed and how you will maintain a sound financial condition will answer the following questions:

A. Current Funding Requirements
- How much money will be needed for start-up?
- What will be the sources of start-up capital (debt, equity, etc.)?
- What business and personal assets will be pledged as collateral?

B. Use of Funds
- How will the money be spent (working capital, debt, retirement, capital expenditures, acquisitions, etc.)?
- How will borrowed funds make your business more profitable?

C. Long-Range Financial Strategies
- How will you liquidate your investors position?
- What terms of repayment are feasible?
- What back-up plan will be used if repayment cannot be accomplished as planned?

D. Financial Statements

To support this section, several financial statements will be required, such as the following:

- Personal Financial Statement of Owner
- Business Start-Up Costs
- Pro Forma Cash Flow Analysis (expected)
- Balance Sheet (actual or proposed)
- Income Statement (actual or proposed)
- Capital Equipment List

(NOTE: Work sheets are provided for each of these statements.)

VII. STRATEGIC PLAN

- It is very important to include a description of where you want your venture to be in the next few years and how you intend to move toward those goals. This strategic plan should focus on years two through five and include descriptions of the following items:

- **Strengths** within your organization.
- **Weaknesses** within your organization.
- **Opportunities** available to you (and your competitors).
- **Threats** impeding you (and your competitors).

Using the preceding four factors, you should describe **strategies** that use your **strengths** to take advantage of **opportunities** and overcome **threats**; and **strategies** to reduce **weaknesses** and avoid **threats** to your business. The strategies should identify **intermediate goals** (yearly) and the marketing, management, and financial resources that will be used to accomplish these goals.

PERSONAL FINANCIAL STATEMENT

As of ____________, 19__

Name: ____________________

Residence Phone: ____________________

Residence Address: ____________________

City, State, Zip Code: ____________________

Social Security Number: ____________________

PERSONAL ASSETS		PERSONAL LIABILITIES	
Cash in bank	$	Accounts Payable	$
IRA	$	Notes Payable (2)	$
Notes Receivable (1)	$	Auto Installment	$
Life Insurance Surrender	$	Other Installment	$
Stocks & Bonds (3)	$	Life Insurance Loans	$
Real Estate (4)	$	Mortgage (4)	$
Automobile	$	Unpaid Taxes (5)	$
Personal Property (6)	$	Other Liabilities(7)	$
Other Assets (8)	$		$
TOTAL ASSETS	$	TOTAL LIABILITIES	$

SOURCES OF INCOME		CONTINGENT LIABILITIES	
Salary	$	Endorser/CoMaker	$
Investments	$	Claims/Judgements	$
Real Estate	$	Income Tax	$
Other Income	$	Other Debt	$

1) DESCRIBE NOTES RECEIVABLE:

____

____

2) DESCRIBE NOTES PAYABLE:

Name/Address of Holder	Original Balance	Current Balance	Monthly Payment

3) DESCRIBE STOCKS AND BONDS:

Name of Securities	# of Shares	Cost	Market Value

4) DESCRIBE REAL ESTATE:

Address	Pur. Dates	Cost	Pres. Val.	Mtg. Bal.	Payment

5) DESCRIBE TAX LIABILITY: (type, to whom payable, when due, amount, liens)

6) DESCRIBE PERSONAL PROPERTY: (exact description, liens, delinquencies)

7) DESCRIBE OTHER LIABILITIES:

8) DESCRIBE OTHER ASSETS:

BUSINESS START-UP COSTS

LIVING EXPENSES

From last paycheck to opening day $ ____________

For three months after opening day $ ____________

(NOTE: Money for living and business expenses for at least three months should be set aside in a bank savings account and not used for any other purpose. This is your start-up cushion.)

DEPOSITS, LICENSES, PREPAYMENTS

Deposit for rent $ ____________

Telephone & utility deposits $ ____________

Business licenses $ ____________

Insurance premiums $ ____________

LEASEHOLD IMPROVEMENTS

Remodeling & redecorating $ ____________

Fixtures, equipment, displays $ ____________

Installation labor $ ____________

Signs - outside, inside $ ____________

INVENTORY

Service, delivery equipment, & supplies $ ____________

Merchandise (approximately 65% of start-up costs are invested in opening stock) $ ____________

OPERATING EXPENSES FOR THE FIRST 3 MONTHS

(from Cash Flow Projection) $ ____________

RESERVE TO CARRY CUSTOMERS' ACCOUNTS $ ____________

CASH FOR PETTY CASH, ETC. $ ____________

TOTAL START-UP CASH NEEDS $ ____________

PRO FORMA CASH FLOW ANALYSIS

NOTE: This analysis should be done on a monthly basis for the first year and on a quarterly basis for years 2 and 3.

CASH RECEIPTS

Cash Sales ---------- $ __________

Cash from Accounts Receivable ---------- $ __________

Cash from Investments ---------- $ __________

TOTAL CASH RECEIPTS ---------- $ __________

CASH DISBURSEMENTS

Merchandise Inventory ---------- $ __________

Salary, Wages ---------- $ __________

Outside Labor ---------- $ __________

Payroll Taxes ---------- $ __________

Advertising ---------- $ __________

Car & Delivery ---------- $ __________

General Office Administration ---------- $ __________

Legal & Accounting ---------- $ __________

Operating Supplies ---------- $ __________

Bad Debts ---------- $ __________

Rent ---------- $ __________

Repairs & Maintenance ---------- $ __________

Utilities ---------- $ __________

Insurance ---------- $ __________

Taxes & Licenses ---------- $ __________

Loan Payments (principal & interest) ---------- $ __________

TOTAL CASH DISBURSEMENTS ---------- $ __________

NET CASH FLOW (+/-) ---------- $ __________

BALANCE SHEET

As of ___________, 19__

ASSETS

Current Assets

Cash ---------- $ __________

Accounts Receivable (net) ---------- $ __________

Merchandise Inventory ---------- $ __________

Supplies ---------- $ __________

Prepaid Expenses ---------- $ __________

TOTAL CURRENT ASSETS ---------- $ __________

Fixed Assets

Fixtures ---------- $ __________

Vehicles ---------- $ __________

Equipment ---------- $ __________

Leasehold Equipment ---------- $ __________

Building ---------- $ __________

Land ---------- $ __________

TOTAL FIXED ASSETS ---------- $ __________

TOTAL ASSETS (A) ---------- $ __________

LIABILITIES

Liabilities

Accounts Payable ---------- $ __________

Taxes Payable ---------- $ __________

Notes Payable ---------- $ __________

Other Payables ---------- $ __________

TOTAL LIABILITIES (B) ---------- $ __________

NET WORTH: Owner's Equity (A minus B) ---------- $ __________

TOTAL LIABILITIES AND NET WORTH (equals A) ---------- $ __________

INCOME STATEMENT

(3 previous years for existing businesses)

	YEAR 1	YEAR 2	YEAR 3
SALES	$ ______	$ ______	$ ______
Less cost of Goods	$ ______	$ ______	$ ______
GROSS PROFIT	$ ______	$ ______	$ ______
OPERATING EXPENSES			
Salaries, Wages	$ ______	$ ______	$ ______
Commissions	$ ______	$ ______	$ ______
Outside Labor	$ ______	$ ______	$ ______
Payroll Taxes	$ ______	$ ______	$ ______
Advertising	$ ______	$ ______	$ ______
Car & Delivery	$ ______	$ ______	$ ______
General Office Administration	$ ______	$ ______	$ ______
Legal & Accounting	$ ______	$ ______	$ ______
Supplies	$ ______	$ ______	$ ______
Bad Debts	$ ______	$ ______	$ ______
Rent	$ ______	$ ______	$ ______
Repairs & Maintenance	$ ______	$ ______	$ ______
Utilities	$ ______	$ ______	$ ______
Insurance	$ ______	$ ______	$ ______
Taxes & Licenses	$ ______	$ ______	$ ______
Depreciation	$ ______	$ ______	$ ______
Interest	$ ______	$ ______	$ ______
Miscellaneous	$ ______	$ ______	$ ______
TOTAL OPERATING EXPENSES	$ ______	$ ______	$ ______
PROFIT/LOSS BEFORE TAXES	$ ______	$ ______	$ ______

CAPITAL EQUIPMENT LIST

Major Equipment and Accessories	Model	Cost
		$
		$
		$
		$
		$
		$
	TOTAL	$

Minor Equipment

		$
		$
		$
		$
		$
	TOTAL	$

Excerpted, with permission of Gateway Community College Small Business Development Center, from *Business Plan Guidelines* (Gateway Community College SBDC).

CHECKLIST FOR GOING INTO BUSINESS

	YES	NO
Have you completed your strategic and business planning?	☐	☐
Have you determined the type of business structure your organization will assume?	☐	☐
If so, have you followed the appropriate registration procedures for that organizational structure?	☐	☐
If applicable, have you registered your business trademarks and trade names?	☐	☐
Have you determined whether your business or profession is subject to any special licensing requirements?	☐	☐
Have you obtained a federal employer identification number (Form SS-4)?	☐	☐
Will your business be required to obtain a state sales tax license, submit monthly reports, and pay taxes on business activities?	☐	☐
Will your business be required to obtain a city sales or business/ occupation license?	☐	☐
Will you be required to withhold state and federal income taxes from the compensation paid your workers, and submit quarterly reports?	☐	☐
Will you be required to pay state taxes, and submit quarterly reports for the unemployment coverage of your workers?	☐	☐
Will your business be required to pay federal unemployment taxes and submit quarterly reports?	☐	☐
Will you be required to have workers compensation insurance coverage?	☐	☐
Have you made a thorough review of your other insurance needs?	☐	☐
Have you reviewed the state and federal labor laws and determined the personnel-related policies your business will follow?	☐	☐
Have you checked the environmental regulations to ensure that your business will meet all air, water, and solid waste standards?	☐	☐
Have you consulted with your accountant concerning tax planning, management controls, and essential accounting systems?	☐	☐
Have you obtained state, county and city operating permits and licenses associated with your business or profession?	☐	☐
Have you carefully considered all available information pertaining to your business location decision and made sure your operations are consistent with current zoning regulations?	☐	☐
If so, have you obtained local certification of occupancy?	☐	☐
Have you checked with the utility companies to ensure prompt delivery of service and to obtain the cost of service extensions, the amount of any required deposits, and written price and supply agreements?	☐	☐

ADDITIONAL SOURCES OF INFORMATION

Subject	Contact
Arizona Agricultural Statistics	Arizona Agricultural Statistics Service, 3303 North Central Avenue, Suite 950, Phoenix, Arizona 85012. The telephone number is (602) 280-8850.
Arizona Bioindustry Directory	Published by Dr. John O'Connell, The American Graduate School of International Management, 15249 North 59th Avenue, Glendale, Arizona 85306-6006. The telephone number is (602) 978-7011.
Arizona Business (Monthly Economic Bulletin)	Center for Business Research, College of Business, Arizona State University, Box 874406, Tempe, Arizona 85287-4406. The telephone number is (602) 965-3961.
Arizona Directory of Exporters	Arizona Department of Commerce, International Trade Division, 3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012. The telephone number is (602) 280-1371.
Arizona Economic Development Directory	Arizona Department of Commerce, Community Assistance Services, 3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012. The telephone number is (602) 280-1350.
Arizona High Tech Directory	Keiland Corporation, 15207 North 75th Street, Suite 106, Scottsdale, Arizona 85260. The telephone number is (602) 948-3098.
Arizona Industrial Directory	Phoenix Chamber of Commerce, 201 North Central Avenue, Bank One Center, 27th Floor, Phoenix, Arizona 85073. The telephone number is (602) 254-5521.
Arizona Local Government Directory	League of Arizona Cities and Towns, 1820 West Washington Street, Phoenix, Arizona 85007, (602) 258-5786; or The Arizona Association of Counties, 1910 West Jefferson Street, Phoenix, Arizona 85009, (602) 252-6563.
Arizona Statistical Review	ArizonaStats, P.O. Box 33363, Phoenix, Arizona 85067-3363. The telephone number is (602) 846-0501.
Arizona's Economy (Monthly Economic Bulletin)	Division of Economic and Business Research, College of Business and Public Administration, McClelland Hall, University of Arizona, Tucson, Arizona 85721. The telephone number is (520) 621-2155.
Copyrights	Copyright Office, LM 455, Library of Congress, Washington, D.C. 20559. The telephone number is (202) 707-5959.
Export Assistance	**U.S. Department of Commerce, International Trade Administration**, 2901 North Central Avenue, Tower 1, Suite 970, Phoenix, Arizona 85012. The telephone number is (602) 640-2513. **U.S. Department of Commerce, Western Regional Office, Bureau of Export Administration**, 3300 Irvine Avenue, Suite 345, Newport Beach, California 92660-3198. The telephone number is (714) 660-0144. **Arizona Department of Commerce, International Trade Division**, 3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012. The telephone number is (602) 280-1371. **American Association of Importers & Exporters**, 11 West 42nd Street, New York, New York 10036. The telephone number is (212) 944-2230. **World Trade Center**, 201 North Central Avenue, Suite 2700, Phoenix, Arizona 85073. The telephone number is (602) 495-6480.

Federal Trademarks/ Trade Name	Commissioner of Patents and Trademarks, Washington, D.C. 20231. The telephone number is (703) 308-4357.
Food and Drug Administration	Small Business Assistance Program, Oakland Federal Building, 1301 Clay Street, Suite 1180 North, Oakland, California, 94612-5217. The telephone number is (510) 637-3980.
Greater Phoenix By the Numbers	Greater Phoenix Economic Council, Two North Central Avenue, Suite 2500, Phoenix, Arizona 85004-4469. The telephone number is (602) 256-7700.
Import Assistance	**U.S. Customs Office**, 1315 South 27th Street, Phoenix, Arizona 85034. The telephone number is (602) 379-3514. **American Association of Importers & Exporters**, 11 West 42nd Street, New York, New York 10036. The telephone number is (212) 944-2230. **World Trade Center**, 201 North Central Avenue, Suite 2700, Phoenix, Arizona 85073. The telephone number is (602) 495-6480.
Patents telephone	Commissioner of Patents and Trademarks, Washington, D.C. 20231. The number is (703) 308-4357.
Pima Association of Governments (PAG) Directory of Sources for Economic Development Information	Pima Association of Governments, 177 North Church Avenue, Suite 405, Tucson, Arizona 85701. The telephone number is (520) 792-1093.
Researching Arizona's Economy, A Guide to *Basic Resources*	Arizona Department of Commerce, 3800 North Central Avenue, Suite 1500, Phoenix, Arizona 85012. The telephone number is (602) 280-1300.
Small Business Assistance	Arizona Department of Commerce, Arizona Business Connection, 3800 North Central Avenue, Building D, Phoenix, Arizona 85012. The telephone number is (602) 280-1480 or statewide toll free (800) 542-5684.

CHAMBERS OF COMMERCE AND ARIZONA ECONOMIC DEVELOPMENT ORGANIZATIONS

The following chambers of commerce and economic development organizations provide business information, economic analysis and projections, demographics, and site location assistance which will help the business community prosper.

STATEWIDE

Arizona American Indian Tourism
Association
c/o Northern Arizona University
Center for American Indian Economic
Development
P.O. Box 15066
Flagstaff, Arizona 86011-5066
(520) 523-7320

Arizona Association For Economic
Development
4620 East Elwood Street, Suite 13
Phoenix, Arizona 85040
(602) 921-9131

Arizona Black Chamber of Commerce
P.O. Box 20191
Phoenix, Arizona 85036-0191
(602) 243-1857

Arizona Chamber of Commerce
1221 East Osborn Road, Suite 100
Phoenix, Arizona 85014
(602) 248-9172

Arizona Chinese Chamber of Commerce
P.O. Box 36972
Phoenix, Arizona 85067
(602) 992-0094

Arizona Department of Commerce
Arizona Business Connection
3800 North Central Avenue
Building D
Phoenix, Arizona 85012
(602) 280-1480
(800) 542-5684
Tucson: (520) 628-6690

Arizona Department of Commerce
National Marketing
3800 North Central Avenue
Suite 1500
Phoenix, Arizona 85012
(602) 280-1330

(800) 528-8421

Arizona Downtown Alliance
3800 North Central Avenue
Suite 1400
Phoenix, Arizona 85012
(602) 280-1350

Arizona Electric Power Cooperative, Inc.
P.O. Box 670
1000 South Highway 80
Benson, Arizona 85602
(520) 586-5317

Arizona Hispanic Chamber of
Commerce
2400 North Central Avenue, Suite 303
Phoenix, Arizona 85004
(602) 252-1101

Arizona Korean Association
505 West Camelback Road
Suite 203
Phoenix, Arizona 85013
(602) 230-8800

Arizona Native American Economic
Coalition
c/o Northern Arizona University Center
for American Indian Economic
Development
P.O. 15066
Flagstaff, Arizona 86011-5066
(520) 523-7320

Arizona Pardner's Program
1101 East Bethany Home Road, Suite 5
Phoenix, Arizona 85014
(602) 265-1732

Arizona Planning Association
3900 East Camelback Road, Suite 200
Phoenix, Arizona 85018
(602) 912-5324

Arizona Public Service Company
P.O. Box 53999, Station 8612
Phoenix, Arizona 85072-3999
(602) 250-3010
(800) 423-0198

Arizona State University
Economic Development Department
University Relations
Tempe, Arizona 85287-2503
(602) 965-9704

Arizona/Taiwan Trade and Investment
Council
3443 North Central Avenue
South Rotunda
Phoenix, Arizona 85012
(602) 230-9372

Asian Chamber of Commerce
626 West Indian School Road
Phoenix, Arizona 85013
(602) 274-2786

Hispanic East Valley Business Club
P.O. Box 27752
Tempe, Arizona 85285-7752
(602) 894-6565

Indian Development District of Arizona,
Inc.
4560 North 19th Avenue, Suite 500
Phoenix, Arizona 85015
(602) 433-1700

Japan-America Society of Phoenix
P.O. Box 27989
Tempe, Arizona 85285-7989
(602) 947-1410

Korean Chamber of Commerce
P.O. Box 43227
Phoenix, Arizona 85080-3227
(602) 996-4411

Maricopa County Black Chamber of
Commerce
500 East Thomas Road, Suite 225
Phoenix, Arizona 85012
(602) 277-7676

National Center for American Indian
Enterprise Development
953 East Juanita Avenue
Mesa, Arizona 85204
(602) 831-7524

Northern Arizona University Center for
American Indian Economic Development
P.O. Box 15066
Flagstaff, Arizona 86011-5066
(520) 523-7320

Philippine-American Chamber of
Commerce of Arizona
4621 North 16th Street, Suite B-214
Phoenix, Arizona 85016
(602) 277-4520

Salt River Project Economic
Development
P.O. Box 52025, ISB-233
Phoenix, Arizona 85072-2025
(602) 236-5088

Santa Fe Railway
3030 North 3rd Street, Suite 200
Phoenix, Arizona 85012
(602) 241-8582

Tucson Black Chamber of Commerce
P.O. Box 65832
Tucson, Arizona 85728
(520) 742-7713

Tucson Hispanic Chamber of Commerce
P.O. Box 2163
2030 East Broadway Blvd. Suite 101
Tucson, Arizona 85702
(520) 620-0005

U.S. Small Business Administration
2828 North Central Avenue, Suite 800
Phoenix, Arizona 85004-1025
(602) 640-2316

University of Arizona
Office of Economic Development
2302 East Speedway, Suite 210
Tucson, Arizona 85719
(520) 621-5398

LOCAL

AHWATUKEE
Ahwatukee Foothills Chamber of Commerce
4909 East Elliot Road
Phoenix, Arizona 85044
(602) 893-6646

AJO
Ajo Chamber of Commerce
321 Taladro
Ajo, Arizona 85321
(520) 387-7742

ALPINE
Alpine Chamber of Commerce
P.O. Box 410
Alpine, Arizona 85920
(520) 339-4330

APACHE COUNTY
Apache County Economic Security Corporation
P.O. Box 767
St. Johns, Arizona 85936
(520) 337-2644

APACHE JUNCTION
Apache Junction Chamber of Commerce
P.O. Box 1747
1001 North Idaho Road, Building H
Apache Junction, Arizona
85217-1747
(520) 982-3141

Apache Junction Economic Development Commission
1001 North Idaho Road
Apache Junction, Arizona
85219-2899
(520) 982-8002, Ext. 146

ARIZONA CITY
Arizona City Chamber of Commerce
Box 5
13540 Sunland Gin Road, Suite 105
Arizona City, Arizona 85223
(520) 466-5141

ASH FORK
Ash Fork Chamber of Commerce
P.O. Box 494
616 Lewis Avenue
Ash Fork, Arizona 86320
(520) 637-2442
(520) 637-2278

Ash Fork Development Association, Inc.
P.O. Box 293
616 Lewis Avenue
Ashfork, Arizona 86320
(520) 637-2442

AVONDALE
Tri-City West Chamber of Commerce
501 West Van Buren, Suite K
Avondale, Arizona 85323
(602) 932-2260

BENSON
Benson Economic Development Committee, Inc.
P.O. Box 2223
Benson, Arizona 85602
(520) 586-2245

Benson-San Pedro Valley Chamber of Commerce
P.O. Box 2255
363 West 4th Street
Benson, Arizona 85602
(520) 586-2842

BISBEE
Bisbee Chamber of Commerce
Drawer BA
7 Main Street
Bisbee, Arizona 85603
(520) 432-5421

Business Retention and Development Committee
Drawer BA
7 Main Street
Bisbee, Arizona 85603
(520) 432-5421

Bisbee Economic Development Task Force
City of Bisbee
118 Arizona Street
Bisbee, Arizona 85603
(520) 432-5446

BLACK CANYON CITY
Black Canyon City Chamber of Commerce
P.O. Box 1919
Black Canyon City, Arizona 85324
(520) 374-9797

BOUSE
Bouse Chamber of Commerce
P.O. Box 817
Bouse, Arizona 85325
(520) 851-2498

BOWIE
Bowie Chamber of Commerce
P.O. Box 286
Bowie, Arizona 85605
(520) 847-2391

BUCKEYE
Buckeye Strategic Plan for Economic Development
(B-SPED) Action Team
508 East Monroe
Buckeye, Arizona 85326
(602) 386-2466

Buckeye Valley Chamber of Commerce
P.O. Box 717
508 East Monroe
Buckeye, Arizona 85326
(602) 386-2727

Buckeye Valley Development Company, Inc.
256 North Apache Road
Buckeye, Arizona 85326
(602) 386-2466

BULLHEAD CITY
Bullhead Area Chamber of Commerce
1251 Highway 95
Bullhead City, Arizona 86429
(520) 754-4121

Bullhead City Economic Development Authority, Inc.
c/o Laughlin/Bullhead International Airport
P.O. Box 3068
2550 Laughlin View Drive
Bullhead City, Arizona 86430
(520) 754-2134

265

CAMP VERDE
Camp Verde Chamber of Commerce
P.O. Box 1665
435 South Main Street
Camp Verde, Arizona 86322
(520) 567-9294
(520) 567-6715

Camp Verde Economic Development Committee
P.O. Box 1665
435 South Main Street
Camp Verde, Arizona 86322
(520) 567-9294
(520) 567-6715

CAMP VERDE YAVAPAI-APACHE INDIAN COMMUNITY
Yavapai-Apache Nation
P.O. Box 1188
3435 Shaw Avenue
Camp Verde, Arizona 86322
(520) 567-3649

CAREFREE /CAVE CREEK
Carefree/Cave Creek Chamber of Commerce
P.O. Box 734
748 Easy Street
Carefree, Arizona 85377
(602) 488-3381

CASA GRANDE
Casa Grande Main Street
P.O. Box 10062
110 West 2nd Street
Casa Grande, Arizona 85230
(520) 836-8744

Greater Casa Grande Chamber of Commerce
575 North Marshall
Casa Grande, Arizona 85222-5244
(520) 836-2125
(800) 916-1515

Greater Casa Grande Valley Economic Development Foundation
501-A North Marshall Street
Casa Grande, Arizona 85222
(520) 836-6868

CHANDLER
Chandler Chamber of Commerce
218 North Arizona Avenue
Chandler, Arizona 85224
(602) 963-4571

Economic Development Section
Planning and Development Department
City of Chandler
200 East Commonwealth
Chandler, Arizona 85225
(602) 786-2846

CHINO VALLEY
Chino Valley Area Chamber of Commerce
P.O. Box 419
480 North Highway 89
Chino Valley, Arizona 86323
(520) 636-2493

Chino Valley Economic Development Committee
P.O. Box 419
480 North Highway 89
Chino Valley, Arizona 86323
(520) 636-2493

Prescott Area Economic Development Corporation
P.O. Box 671
Prescott, Arizona 86302
(520) 776-3668

CHLORIDE
Chloride Chamber of Commerce
P.O. Box 268
Chloride, Arizona 86431
(520) 565-2204
(520) 565-4803

CLARKDALE
Clarkdale Chamber of Commerce
P.O. Box 161
Clarkdale, Arizona 86324
(520) 634-9591
(520) 646-8422

COCHISE COUNTY
Cochise County Office of Economic and Community Development
1415 West Melody Lane, Building B
Bisbee, Arizona 85603
(520) 432-9200
(520) 432-9454

COCOPAH INDIAN RESERVATION
Cocopah Indian Reservation
County 15th & Avenue "G"
Somerton, Arizona 85350
(520) 627-2061

CONGRESS
"Old Congress Days"
P.O. Box 656
Congress, Arizona 85332
(520) 427-3572

COOLIDGE
City of Coolidge
P.O. Box 1498
Coolidge, Arizona 85228
(520) 723-5361

Coolidge Chamber of Commerce
P.O. Box 943
320 West Central Avenue
Coolidge, Arizona 85228
(520) 723-3009

COTTONWOOD
Cottonwood Foundation for Economic Development
1010 South Main Street
Cottonwood, Arizona 86326
(520) 634-7593

Cottonwood/Verde Valley Chamber of Commerce
1010 South Main Street
Cottonwood, Arizona 86326
(520) 634-7593

The Old Town Association of Cottonwood
1101 North Main Street
Cottonwood, Arizona 86326
(520) 634-9468

DOLAN SPRINGS
Dolan Springs Chamber of Commerce
P.O. Box 274
Pierce Ferry Road
Dolan Springs, Arizona 86441
(520) 767-3648

DOUGLAS
City of Douglas Economic Development
1125 Pan American
Douglas, Arizona 85607
(520) 364-8464

Douglas Chamber of Commerce
1125 Pan American
Douglas, Arizona 85607
(520) 364-2477

DUNCAN
Duncan Development Corporation
Box 814
Duncan, Arizona 85534
(520) 359-2791

EAGAR
Apache County Economic Security Corporation
P.O. Box 767
St. Johns, Arizona 85936
(520) 337-2644

Eagar Community Development Committee
c/o Town of Eagar
P.O. Box 1300
Eagar, Arizona 85925
(520) 333-4128

Round Valley Chamber of Commerce
P.O. Box 31
418 East Main Street
Springerville, Arizona 85938
(520) 333-2123

EL MIRAGE
Northwest Valley Chamber of Commerce
12211 West Bell Road, Suite 204
Surprise, Arizona 85374

•

P.O. Box 1519
Sun City, Arizona 85372-1519
(520) 583-0692

ELFRIDA
Sulphur Springs Chamber of Commerce
P.O. Box 614
Elfrida, Arizona 85610
(520) 642-3805

ELGIN
Sonoita-Elgin Chamber of Commerce
P.O. Box 607
Sonoita, Arizona 85637
(520) 455-5613

ELOY
Eloy Chamber of Commerce
P.O. Box 788
Eloy, Arizona 85231
(520) 466-3411

Greater Casa Grande Valley Economic Development Foundation
501-A North Marshall Street
Casa Grande, Arizona 85222
(520) 836-6868

Sunland Visitor Center, Inc.
P.O. Box 300
Arizona City, Arizona 85223

•

3640 North Toltec Road
I-10 Exit 203
Eloy, Arizona 85231
(520) 466-3007
(520) 466-5048

FLAGSTAFF
Flagstaff Chamber of Commerce
101 West Route 66
Flagstaff, Arizona 86001
(520) 774-4505

Flagstaff Convention & Visitors Bureau
c/o City of Flagstaff
211 West Aspen
Flagstaff, Arizona 86001
(520) 779-7611

Flagstaff Visitors Center
1 East Route 66
Flagstaff, Arizona 86001
(602) 774-9541
(800) 842-7293

Greater Flagstaff Economic Council, Inc.
1300 South Milton, Suite 125
Flagstaff, Arizona 86001
(520) 779-7658

FLORENCE
Florence Chamber of Commerce
Box 929
291 North Bailey
Florence, Arizona 85232
(520) 868-9433

FT. MOHAVE
Mohave Valley Chamber of Commerce
P.O. Box 9101
Ft. Mohave, Arizona 86427
(520) 768-2777

FT. MOJAVE
The Ft. Mojave Indian Tribe Economic Development Board
500 Merriman Avenue
Needles, California 92363
(619) 326-4591

FOUNTAIN HILLS
Fountain Hills Chamber of Commerce
P.O. Box 17598
Fountain Hills, Arizona 85269
16838 East Palisades Blvd., Suite A
Fountain Hills, Arizona 85268
(602) 837-1654

Mayor's Council for Business Growth
P.O. Box 17598
Fountain Hills, Arizona 85269
(602) 837-1654

FREDONIA
Fredonia Chamber of Commerce
Town of Fredonia
P.O. Box 547
130 North Main
Fredonia, Arizona 86022
(520) 643-7241

GILA BEND
Gila Bend Chamber of Commerce
P.O. Box CC
Gila Bend, Arizona 85337
(520) 683-2002

GILA COUNTY
Gila County Community Development Department
149 South Broad Street, Suite A
Globe, Arizona 85501
(520) 425-2093

GILA RIVER INDIAN COMMUNITY
Blackwater Industrial Development Corporation
Gila River Indian Community
P.O. Box 905
Sacaton, Arizona 85247
(520) 215-5942
Tribal Administration Office,
(520) 562-3311 X226

Gila River Indian Community Economic Development Department
P.O. Box 97
Sacaton, Arizona 85247
(520) 963-4323

Lone Butte Industrial Development Corporation
Gila River Indian Community
Box 5000
6960 West Allison
Chandler, Arizona 85226
(602) 796-1033

Santan Economic Development Corporation
Gila River Indian Community
P.O. Box 526
Sacaton, Arizona 85247

GILBERT
Gilbert Chamber of Commerce
P.O. Box 527
Gilbert, Arizona 85299-0527
202 North Gilbert Road
Gilbert, Arizona 85234
(602) 892-0056

Gilbert Economic Development Advisory Board
1025 South Gilbert Road
Gilbert, Arizona 85296
(602) 545-6865

GLENDALE
Glendale Chamber of Commerce
P.O. Box 249
7105 North 59th Avenue
Glendale, Arizona 85311
(602) 937-4754
(800) IDSUNNY

Glendale Department of Economic Development
City of Glendale
5850 West Glendale Avenue
Glendale, Arizona 85301
(602) 435-4169

GLOBE
Globe Downtown Association, Inc.
P.O. Box 662
101 North Broad Street
Globe, Arizona 85502
(520) 425-9340

Greater Globe/Miami Chamber of Commerce
P.O. Box 2539
1360 North Broad Street
Globe, Arizona 85502
(520) 425-4495
(800) 804-5623

Southern Gila County Economic Development Corporation
P.O. Box 1351
101 North Broad Street
Globe, Arizona 85501
(520) 425-2228

GOLDEN VALLEY
Golden Valley Chamber of Commerce
P.O. Box 10300
Golden Valley, Arizona 86413
(520) 565-3311

GOLDROAD
Oatman/Goldroad Chamber of Commerce
P.O. Box 423
Main Street
Oatman, Arizona 86433
(520) 768-8212

GOODYEAR
Tri-City West Chamber of Commerce
501 West Van Buren, Suite K
Avondale, Arizona 85323
(602) 932-2260

GRAHAM COUNTY
Graham County Chamber of Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

Graham County Economic Development c/o Graham County Chamber of Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

GRAND CANYON
Grand Canyon Chamber of Commerce
P.O. Box 3007
Grand Canyon, Arizona 86023
(520) 638-2901

GREEN VALLEY
Green Valley Chamber of Commerce
270 West Continental Road, Suite 100
P.O. Box 566
Green Valley, Arizona 85622
(520) 625-7575

GREENLEE COUNTY
Greenlee County Chamber of Commerce
P.O. Box 1237
R.R. Station
Clifton, Arizona 85533
(520) 865-3313

Greenlee County Economic Development
P.O. Box 908
Clifton, Arizona 85533
(520) 865-2310

GREER
Pinetop/Lakeside Chamber of Commerce
592 West White Mountain Blvd.
Lakeside, Arizona 85929
(520) 367-4290

GUADALUPE
Town of Guadalupe
9050 South Avenida del Yaqui
Guadalupe, Arizona 85283
(520) 730-3080

HEBER
Heber/Overgaard Chamber of Commerce
P.O. Box 550
Heber, Arizona 85928
(520) 535-4406
(520) 535-5499

HOLBROOK
Holbrook Chamber of Commerce
100 East Arizona Street
"OLD COURT HOUSE"
Holbrook, Arizona 86025
(520) 524-6558
(800)524-2459

Holbrook Economic Development Advisory Commission
P.O. Box 70
465 First Avenue
Holbrook, Arizona 86025
(520) 524-2413

Holbrook Tourism Council
100 East Arizona Street
Holbrook, Arizona 86025
(520) 524-6558
(800) 524-2459

HUACHUCA CITY
Huachuca City Industrial Development
500 North Gonzalez Blvd.
Huachuca City, Arizona 85616
(520) 456-1354

JEROME
Jerome Chamber of Commerce
P.O. Drawer K
Jerome, Arizona 86331
(520) 634-2900

JOSEPH CITY
Joseph City Chamber of Commerce
P.O. Box 36
Joseph City, Arizona 86032
(520) 288-3610

KEARNY
Copper Basin Chamber of Commerce
P.O. Box 206
355 Alden Road
Kearny, Arizona 85237
(520) 363-7607

KINGMAN
Kingman Airport Authority, Inc.
7000 Flightline Drive
Kingman, Arizona 86401
(520) 757-2134

Kingman Area Chamber of Commerce
P.O. Box 1150
333 West Andy Devine
Kingman, Arizona 86402
(520) 753-6106

Kingman Economic & Tourism Development Commission
310 North 4th Street
Kingman, Arizona 86401
(520) 753-8130

Kingman 2005, Inc.
7000 Flightline Drive
Kingman, Arizona 86401
(520) 757-2005

LAKE HAVASU CITY
Lake Havasu Area Chamber of Commerce
1930 Mesquite Avenue, Suite 3
Lake Havasu City, Arizona 86403
(520) 855-4115

Lake Havasu Area Visitors Convention Bureau
1930 Mesquite Avenue, Suite 3
Lake Havasu City, Arizona 86403
(520) 453-3444
(520) 855-4115

Lake Havasu City Economic Development Office
1795 Civic Center Blvd.
Lake Havasu City, Arizona 86403
(520) 453-4152

LITCHFIELD PARK
Tri-City West Chamber of Commerce
501 West Van Buren, Suite K
Avondale, Arizona 85323
(602) 932-2260

MAMMOTH
SMOR Tri-Community Chamber of Commerce
P.O. Box 1886
Oracle, Arizona 85623
(520) 896-9322

MARANA
Greater Marana/Avra Valley Chamber of Commerce
13660 North Sandario Road
Marana, Arizona 85653
(520) 682-4314

Marana Economic Development Committee
13660 North Sandario Road
Marana, Arizona 85653
(520) 682-4314

MARICOPA
Western Pinal Chamber of Commerce
P.O. Box 711
Maricopa, Arizona 85239
(520) 568-2844

MAYER
Mayer Area Chamber of Commerce
P.O. Box 248
Mayer, Arizona 86333
(520) 632-4031

MESA
MEGACORP
100 North Center
P.O. Box 1466
Mesa, Arizona 85201
(602) 644-2398

Mesa Chamber of Commerce
P.O. Box 5820
120 North Center
Mesa, Arizona 85211-5820
(602) 969-1307

Mesa Convention & Visitors Bureau
120 North Center
Mesa, Arizona 85201
(602) 827-4700

MIAMI
Greater Globe/Miami Chamber of Commerce
P.O. Box 2539
1360 North Broad Street
Globe, Arizona 85502
(520) 425-4495
(800) 804-5623

Southern Gila County Economic Development Corporation
P.O. Box 1351
101 North Broad Street
Globe, Arizona 85501
(520) 425-2228

MOHAVE COUNTY
Mohave County Economic Development Authority Inc.
3160 Shangri La Drive
Kingman, Arizona 86401
(520) 692-6970

NAVAJO COUNTY
Arizona North Eastern Economic Development
P.O. Box 70
465 First Avenue
Holbrook, Arizona 86025
(520) 524-2413

NAVAJO TRIBE
Navajo Nation
Division of Community Development
P.O. Box 1896
Window Rock, Arizona 86515
(520) 871-6442

Navajo Tribe
Division of Economic Development
P.O. Box 663
Window Rock, Arizona 86515
(520) 871-6544

NOGALES
Nogales/Santa Cruz County Chamber of Commerce
Kino Park
Nogales, Arizona 85621
(520) 287-3685

Nogales/Santa Cruz County Economic Development Foundation, Inc.
P.O. Box 1688
2100 North Congress Drive
Nogales, Arizona 85628
(520) 761-7800, Ext. 3050

OATMAN
Oatman/Goldroad Chamber of Commerce
P.O. Box 423
Main Street
Oatman, Arizona 86433
(520) 768-8212

ORACLE
SMOR Tri-Community Chamber of Commerce
P.O. Box 1886
Oracle, Arizona 85623
(520) 896-9322

ORO VALLEY
Greater Oro Valley Chamber of Commerce
490 West Magee Road
Tucson, Arizona 85704
(520) 297-2191

OVERGAARD
Heber/Overgaard Chamber of Commerce
P.O. Box 550
Heber, Arizona 85928
(520) 535-4406
(520) 535-5499

PAGE
Page Economic Development
City of Page
P.O. Drawer HH
697 Vista
Page, Arizona 86040
(520) 645-8861

Page/Lake Powell Chamber of Commerce
Visitor and Convention Bureau
P.O. Box 727
106 South Lake Powell Blvd.
Page, Arizona 86040
(520) 645-2741

PARKER
Parker Area Chamber of Commerce
P.O. Box 627
1217 California Avenue
Parker, Arizona 85344
(520) 669-2174

Parker Area Economic Development Committee
c/o Parker Area Chamber of Commerce
P.O. Box 627
1217 California Avenue
Parker, Arizona 85344
(520) 669-2174

PAYSON
Payson Chamber of Commerce
P.O. Box 1380
Highway 87 and Main Street
Payson, Arizona 85547
(520) 474-4515
(800) 672-9766

Town of Payson
Economic Development Department
303 North Beeline Highway
Payson, Arizona 85541
(520) 474-5242

PEARCE
Pearce/Sunsites Chamber of Commerce
P.O. Box 308
133 Frontage Road
Pearce, Arizona 85625
(520) 826-3535

PEORIA
Peoria Chamber of Commerce
P.O. Box 70
8355 West Peoria Avenue
Peoria, Arizona 85380
(602) 979-3601

Peoria Economic Development Group, Inc.
10601 North 83rd Drive
Peoria, Arizona 85345
(602) 486-2011

PHOENIX
City of Phoenix Business Development
200 West Washington Street
20th Floor
Phoenix, Arizona 85003-1611
(602) 262-5040

Community and Economic Development
City of Phoenix
200 West Washington Street
20th Floor
Phoenix, Arizona 85003-1611
(602) 495-5252

Greater Paradise Valley Chamber of Commerce
3135 East Cactus Road
Phoenix, Arizona 85032-7155
(602) 482-3344

Greater Phoenix Economic Council
Two North Central Avenue, Suite 2500
Phoenix, Arizona 85004-4469
(602) 256-7700

Phoenix Chamber of Commerce
201 North Central Avenue, Suite 2700
Phoenix, Arizona 85073
(602) 254-5521

Phoenix Local Development Corporation
201 North Central Avenue, Suite 2700
Phoenix, Arizona 85020
(602) 495-6495

Phoenix and Valley of the Sun
Convention and Visitors Bureau
400 East Van Buren Street, Suite 600
Phoenix, Arizona 85004
(602) 254-6500

South Mountain Chamber of Commerce
9040 South 17th Place
Phoenix, Arizona 85040
(602) 276-6073

PIMA
Pima Chamber of Commerce
P.O. Box 489
Pima, Arizona 85543
(520) 485-2288

Graham County Chamber of Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

Graham County Economic Development
c/o Graham County Chamber of Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

PINAL COUNTY
Pinal County Development Board and Visitor Center
P.O. Box 967
912 North Pinal (8th & Pinal)
Florence, Arizona 85232
(520) 868-4331

PINE
Pine/Strawberry Chamber of Commerce
P.O. Box 196
Pine, Arizona 85544
(520) 476-3547

PINETOP/LAKESIDE
Pinetop/Lakeside Chamber of Commerce
592 West White Mountain Blvd.
Lakeside, Arizona 85929
(520) 367-4290

Pinetop/Lakeside Economic Development Committee
1360 North Niels Hansen Lane
Box 10
Lakeside, Arizona 85929
(520) 537-2976, Ext. 316
(520) 368-TOWN (8696)

White Mountain Regional Development Corporation
P.O. Box 3440
1201 East Cooley, Suite F
Show Low, Arizona 85901-3440
(520) 537-3777

PRESCOTT
City of Prescott
P.O. Box 2059
201 South Cortez
Prescott, Arizona 86302
(520) 776-6317

Downtown Prescott Association
P.O. Box 1124
106 North Cortez Street, Suite 1
Prescott, Arizona 86302
(520) 771-1372

Prescott Area Economic Development Corporation
P.O. Box 671
Prescott, Arizona 86302
(520) 776-3668

Prescott Chamber of Commerce
P.O. Box 1147
117 West Goodwin
Prescott, Arizona 86302
(520) 445-2000
(800)266-7534

PRESCOTT VALLEY
Prescott Valley Chamber and Economic Development
P.O. Box 25357
8307 Highway 69, Suite C
Prescott Valley, Arizona 86312
(520) 772-8857

QUARTZSITE
Quartzsite Chamber of Commerce
Highway 95 Palm Plaza
P.O. Box 85
Quartzsite, Arizona 85346
(520) 927-5600

Quartzsite Economic Development Committee
P.O. Box 85
Quartzsite, Arizona 85346
(520) 927-5600

QUEEN CREEK
Queen Creek Chamber of Commerce
P. O. Box 720
Queen Creek, Arizona 85242
(520) 987-0406

SAFFORD
Graham County Chamber of Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

Graham County Economic Development
c/o Graham County Chamber of
Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

ST JOHNS
Apache County Economic Security
Corporation
P.O. Box 767
St. Johns, Arizona 85936
(520) 337-2644

St. Johns Regional Chamber of
Commerce
P.O. Box 178
180 West Cleveland
St. Johns, Arizona 85936
(520) 337-2000

SALOME
McMullen Valley Chamber of Commerce
P.O. Box 477
Salome, Arizona 85348
(520) 859-3846

SALT RIVER
Salt River Pima-Maricopa Indian
Community
Economic Development Department
Route 1, Box 216
Scottsdale, Arizona 85256
(602) 941-7280

SAN LUIS
Merchants Association
P.O. Box 2044
San Luis, Arizona 85349
(520) 627-8033

San Luis Economic Development
Commission
City of San Luis
P.O. Box S
23222 First Street
San Luis, Arizona 85349
(520) 627-2027

Yuma Economic Development
Corporation
1600 South 4th Avenue, Suite B
Yuma, Arizona 85364
(520) 783-0193

SAN MANUEL
Magma Copper Company
P.O. Box M
200 South Redington Road
San Manuel, Arizona 85631
(520) 385-3100

SMOR Tri-Community Chamber of
Commerce
P.O. Box 1886
Oracle, Arizona 85623
(520) 896-9322

SANTA CRUZ COUNTY
Nogales/Santa Cruz County Chamber of
Commerce
Kino Park
Nogales, Arizona 85621
(520) 287-3685

Nogales/Santa Cruz County
Economic Development
Foundation, Inc.
P.O. Box 1688
2100 North Congress Drive
Nogales, Arizona 85628
(520) 761-7800, Ext. 3050

SCOTTSDALE
Scottsdale Chamber of Commerce
7343 Scottsdale Mall
Scottsdale, Arizona 85251
(602) 945-8481

Scottsdale Economic Development
Department
City of Scottsdale
7447 East Indian School Road
Suite 300
Scottsdale, Arizona 85251
(602) 994-7989

The Scottsdale Partnership
7343 Scottsdale Mall
Scottsdale, Arizona 85251-4498
(602) 945-8481

SEDONA-OAK CREEK CANYON
Sedona-Oak Creek Canyon Chamber of
Commerce
P.O. Box 478
Sedona, Arizona 86339
•
267 Van Deren
Sedona, Arizona 86336
(520) 204-1123

Visitor Information
331 Forest Road
Sedona, Arizona 86336
(520) 282-7722

SELIGMAN
Seligman Chamber of Commerce
P.O. Box 65
Seligman, Arizona 86337
(520) 422-3241
(520) 422-3352

SHOW LOW
Show Low Chamber of Commerce
P.O. Box 1083
Show Low, Arizona 85901
(520) 537-2326

White Mountain Regional Development
Corporation
P.O. Box 3440
1201 East Cooley, Suite F
Show Low, Arizona 85901-3440
(520) 537-3777

SIERRA VISTA
Sierra Vista Chamber of Commerce
Tourist and Visitor Center
77 Calle Portal, A-140
Sierra Vista, Arizona 85635
(520) 458-6940
(800) 288-3861

Sierra Vista Economic Development
Foundation
P.O. Box 2380
311 East Willcox Drive, Suite 203
Sierra Vista, Arizona 85636
(520) 458-6948

SNOWFLAKE
Snowflake/Taylor Chamber of
Commerce
P.O. Box 776
Snowflake, Arizona 85937
(520) 536-4331

White Mountain Regional Development
Corporation
P.O. Box 3440
1201 East Cooley, Suite F
Show Low, Arizona 85901-3440
(520) 537-3777

SOMERTON
Somerton Economic Development
Commission
c/o City Manager
P.O. Box 638
Somerton, Arizona 85350
(520) 627-8866

Yuma Economic Development
Corporation
1600 South 4th Avenue, Suite B
Yuma, Arizona 85364
(520) 783-0193

SONOITA
Sonoita-Elgin Chamber of Commerce
P.O. Box 607
Sonoita, Arizona 85637
(520) 455-5613

SPRINGERVILLE
Apache County Economic Security Corporation
P.O. Box 767
St. Johns, Arizona 85936
(520) 337-2644

Round Valley Chamber of Commerce
P.O. Box 31
418 East Main Street
Springerville, Arizona 85938
(520) 333-2123

Springerville Economic Development Commission
P.O. Box 390
Springerville, Arizona 85938
(520) 333-2656

STANFIELD
Western Pinal Chamber of Commerce
P.O. Box 711
Maricopa, Arizona 85239
(520) 568-2844

STRAWBERRY
Pine/Strawberry Chamber of Commerce
P.O. Box 196
Pine, Arizona 85544
(520) 476-3547

SUN CITY/SUN CITY WEST
Northwest Valley Chamber of Commerce
12211 West Bell Road, Suite 204
Surprise, Arizona 85374
•
P.O. Box 1519
Sun City, Arizona 85372-1519
(602) 583-0692

SUNSITES
Pearce/Sunsites Chamber of Commerce
P.O. Box 308
133 Frontage Road
Pearce, Arizona 85625
(520) 826-3535

SUPERIOR
Economic Development Advisory Board
734 Main Street
Superior, Arizona 85273
(520) 689-5752

Superior Chamber of Commerce
P.O. Box 95
Superior, Arizona 85273
(520) 689-2441

SURPRISE
Northwest Valley Chamber of Commerce
12211 West Bell Road, Suite 204
Surprise, Arizona 85374
•
P.O. Box 1519
Sun City, Arizona 85372-1519
(602) 583-0692

TAYLOR
Snowflake/Taylor Chamber of Commerce
P.O. Box 776
Snowflake, Arizona 85937
(520) 536-4331

White Mountain Regional Development Corporation
P.O. Box 3440
1201 East Cooley, Suite F
Show Low, Arizona 85901-3440
(520) 537-3777

TEMPE
Downtown Tempe Community, Inc.
P.O. Box 1620
398 South Mill Avenue, Suite 203
Tempe, Arizona 85280-1620
(602) 921-2300

Tempe Chamber of Commerce
P.O. Box 28500
Tempe, Arizona 85285-8500
60 East 5th Street, Suite 3
Tempe, Arizona 85281
(602) 967-7891

Tempe Economic Development
Office of the City Manager
Box 5002
Tempe, Arizona 85280
(602) 350-8036

THATCHER
Graham County Chamber of Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

Graham County Economic Development
c/o Graham County Chamber of Commerce
1111 Thatcher Blvd.
Safford, Arizona 85546
(520) 428-2511

TOLLESON
Tolleson Chamber of Commerce
9555 West Van Buren
Tolleson, Arizona 85353
(602) 936-5070

Tolleson Economic Development
City of Tolleson
9555 West Van Buren
Tolleson, Arizona 85353
(602) 936-7111

TOMBSTONE
Tombstone Chamber of Commerce
P.O. Box 995
4th & Allen
Tombstone, Arizona 85638
(520) 457-9317

Tombstone Office of Tourism
Box 917
Tombstone, Arizona 85638

Tombstone Visitors Center
P.O. Box 995
Tombstone, Arizona 85638
(520) 457-3929

TUBAC
Tubac Chamber of Commerce
P.O. Box 1866
Tubac, Arizona 85646
(520) 398-2563

TUCSON
Business Development Finance Corporation
345 East Toole Avenue, Suite 300
Tucson, Arizona 85701-1823
(520) 623-3377
•
Branch Office:
4635 South Lakeshore Drive
Suite 129
Tempe, Arizona 85282
(602) 345-4550

City of Tucson
Office of Economic Development
166 West Alameda
Tucson, Arizona 85701
(520) 791-5093

Downtown Development Corporation
345 East Toole Avenue, Suite 305
Tucson, Arizona 85701-1823
(520) 623-5427

Greater Tucson Economic Council
33 North Stone Avenue, Suite 800
Tucson, Arizona 85701
(520) 882-6079

Metropolitan Tucson Convention & Visitors Bureau
130 South Scott Avenue
Tucson, Arizona 85701
(520) 624-1817

Tucson Metropolitan Chamber of Commerce
P.O. Box 991
465 West St. Mary's Road
Tucson, Arizona 85702
(520) 792-2250

VERDE VALLEY
Cottonwood/Verde Valley Chamber of Commerce
1010 South Main Street
Cottonwood, Arizona 86326
(520) 634-7593

Verde Valley Regional Economic Development Council
c/o Phoenix Cement
P.O. Box 428
Clarkdale, Arizona 86324
(520) 634-2261

WELLTON
Yuma Economic Development Corporation
1600 Suite 4th Avenue, Suite B
Yuma, Arizona 85364
(520) 783-0193

WHITE MOUNTAIN APACHE TRIBE
White Mountain Apache Tribe
Planning & Development
P.O. Box 700
Whiteriver, Arizona 85941
(520) 338-4346, Ext. 213

WHITE MOUNTAINS
White Mountain Regional Development Corporation
P.O. Box 3440
1201 East Cooley, Suite F
Show Low, Arizona 85901-3440
(520) 537-3777

WICKENBURG
Wickenburg Chamber of Commerce
P.O. Drawer CC
216 North Frontier Street
Wickenburg, Arizona 85358
(520) 684-5479

Wickenburg Economic Development Advisory Commission
c/o Town of Wickenburg
P.O. Box 1269
Wickenburg, Arizona 85358
(520) 684-5451

Wickenburg Tourism Authority
P.O. Drawer CC
216 North Frontier Street
Wickenburg, Arizona 85358
(520) 684-5479

WILLCOX
Willcox Chamber of Commerce & Agriculture
1500 North Circle I Road
Willcox, Arizona 85643
(520) 384-2272, (800) 200-2272

Willcox Economic Development Group
1500 North Circle I Road
Willcox, Arizona 85643
(520) 384-2995

WILLIAMS/GRAND CANYON
Williams Chamber of Commerce
200 West Railroad Avenue
Williams, Arizona 86046
(520) 635-1418

Williams/Kaibab National Forest Visitor Center
200 West Railroad Avenue
Williams, Arizona 86046
(520) 635-4707

Williams Tourism and Economic Development Department City of Williams
200 West Railroad Avenue
Williams, Arizona 86046
(520) 635-1494

WINSLOW
Industrial Development Endeavor Association (IDEA)
P.O. Box 340
Winslow, Arizona 86047
(520) 289-2181

Winslow Chamber of Commerce
P.O. Box 460
300 West North Road
Winslow, Arizona 86047
(520) 289-2434
(520) 289-2435

YARNELL/PEEPLES VALLEY
Yarnell/Peeples Valley Chamber of Commerce
P.O. Box 275
Yarnell, Arizona 85362-0275
(520) 427-6588

YOUNGTOWN
Northwest Valley Chamber of Commerce
12211 West Bell Road, Suite 204
Surprise, Arizona 85374
•
P.O. Box 1519
Sun City, Arizona 85372-1519
(602) 583-0692

YUMA
City of Yuma Community Redevelopment
3 West Third Street
Yuma, Arizona 85364
(520) 782-4397

City of Yuma-Department of Development Services
3 West Third Street
Yuma, Arizona 85364
(520) 343-8692

Yuma Civic & Convention Center
P.O. Box 6468
1440 Desert Hills Drive
Yuma, Arizona 85366-6468
(520) 344-3800

Yuma Convention & Visitors Bureau, Inc.
488 Maiden Lane
P.O. Box 10831
Yuma, Arizona 85364
(520) 783-0071

Yuma County Chamber of Commerce
P.O. Box 10230
377 South Main Street
Yuma, Arizona 85366-8230
(520) 782-2567

Yuma Economic Development Corporation
1600 South 4th Avenue, Suite B
Yuma, Arizona 85364
(520) 783-0193

ARIZONA PROCUREMENT TECHNICAL ASSISTANCE NETWORK AND THE PROCUREMENT CENTERS

The Arizona Procurement Technical Assistance Network (APTAN) is an information assistance system designed to increase the number of Arizona businesses which are qualified to compete for federal, state and local governmental contracts and subcontracts. The APTAN state office address is 1435 North Hayden Road, Scottsdale, Arizona 85257, (602) 945-5452. For areas not listed below, contact the APTAN state office.

Cochise/Santa Cruz Counties
Procurement Program
Cochise Small Business Development Center
901 North Colombo
Sierra Vista, Arizona 85635
(520) 459-9778

East Valley and East Maricopa County
Tempe Chamber of Commerce
Economic Development
60 East Fifth Street, Suite 3
Tempe, Arizona 85281
(602) 967-7891

Flagstaff Procurement Program
Greater Flagstaff Economic Council
1300 South Milton Road, Suite 125
Flagstaff, Arizona 86001
(520) 779-7658

Gila County Procurement
South Gila County Economic
Development Corporation
101 North Broad Street
Globe, Arizona 85501
(520) 425-2228

Graham/Greenlee Counties
Eastern Arizona College Small Business
Development Center
622 College Avenue
Thatcher, Arizona 85552
(520) 428-8590

Greater Tucson Economic Council
(GTEC)
33 North Stone Avenue, Suite 800
Tucson, Arizona 85701
(520) 882-6079

Navajo/Apache Counties
White Mountain Regional Development
Corporation
P.O. Box 3440
1201 East Cooley, Suite F
Show Low, Arizona 85901
(520) 537-3777

Phoenix and West Maricopa County
Bid Source Program
Bank One Center
201 North Central Avenue
27th Floor
Phoenix, Arizona 85073
(602) 495-6492

Yuma County
Yuma Economic Development
Corporation
1600 South Fourth Avenue, Suite B
Yuma, Arizona 85364
(520) 783-0193

ARIZONA SMALL BUSINESS DEVELOPMENT CENTER NETWORK

The Arizona Small Business Development Centers are located throughout the state. Through a team of profession consultants, the centers offer confidential, personalized counseling in all areas of small business management at no charge. The centers also provide low cost seminars on business operations. The state office is located at 2411 West 14th Street, Room 132, Tempe, Arizona 85281. The telephone number is (602) 731-8720.

Arizona Western College
Century Plaza
281 West 24th Street, Suite 152
Yuma, Arizona 85364
(520) 341-1650

Cochise College
901 North Colombo, Room 411
Sierra Vista, Arizona 85635
(520) 459-9778

Coconino County Community College
3000 North 4th Street, Suite 25
Flagstaff, Arizona 86004
(520) 526-5072

•

Satellite Office
Coconino County Community College
P.O. Box 728
Page, Arizona 86040
(520) 645-3987

Eastern Arizona College
622 College Avenue
Thatcher, Arizona 85552
(520) 428-8590

•

Satellite Office
Eastern Arizona College
307 South Beeline
Payson, Arizona 85547
(520) 474-8821

•

Satellite Office
Eastern Arizona College
P.O. Box O
San Carlos Apache Tribe
Tribal Planning Office
San Carlos, Arizona 85550
(520) 475-2331

Gateway Community College
108 North 40th Street
Phoenix, Arizona 85034
(602) 392-5223

Mohave Community College
1971 Jagerson Avenue
Kingman, Arizona 86401
(520) 757-0895

Northland Pioneer College
Location:
1001 Deuce of Clubs
Show Low, Arizona 85901
(520) 537-2976

•

Mailing address:
P.O. Box 610
Holbrook, Arizona 86025
(520) 524-6111

Pima Community College
4903 East Broadway Blvd.
Suite 101
Tucson, Arizona 85709
(520) 748-4906

•

Satellite Office
Pima Community College
124 East Madison Street
Nogales, Arizona 85621
(520) 287-2569

Pinal County Small Business
Development Center
8470 North Overfield Road
Coolidge, Arizona 85228
(520) 426-4341

Yavapai College
117 East Gurley Street, Suite 206
Prescott, Arizona 86301
(520) 776-2373

•

Satellite Office
Yavapai College
Cottonwood Financial Center
830 South Main Street, Suite 2A
Cottonwood, Arizona 86326
(520) 634-3974

ARIZONA SMALL BUSINESS INSTITUTES

The Arizona Small Business Institutes work in conjunction with colleges and universities in the state. The Institutes provide free management counseling from qualified graduate and undergraduate business students working under expert faculty guidance. The Small Business Institutes counseling studies focus on the full range of management problems and solutions, including market studies, accounting systems, personnel policies, production design, exporting, expansion feasibility and strategic planning.

Arizona State University-Tempe
Small Business Institute
Tempe, Arizona 85287-4006
(602) 965-7411

Arizona State University West
Small Business Institute
Business Programs
4701 West Thunderbird Road
Suite N150
P.O. Box 37100
Phoenix, Arizona 85069-7100
(602) 543-6225

Northern Arizona University
Small Business Institute
College of Business Administration
P.O. Box 15066
Flagstaff, Arizona 86011-5066
(520) 523-2358

SCORE CHAPTERS

The Service Corps of Retired Executives (SCORE) is a group of retired business executives who provide counselin services. SCORE counselors offer their communities the benefit of a successful business experience by providing free one-on-one counseling services and free or low-cost seminars involving the basics of operating a business.

CHAPTER	BRANCH
East Valley Chapter Mesa Federal Building 26 North MacDonald Mesa, Arizona 85201 (602)379-3100	
Lake Havasu City Chapter Mohave Community College 1977 West Acoma Blvd. Lake Havasu City, Arizona 86403 (520)855-7812	***Lake Havasu*** Mohave Community College 1971 Jagerson Avenue Kingman, Arizona 86401 (520)757-4331
	Bullhead City 1251 Highway 95 Bullhead City, Arizona 86429 (520)754-4121
Phoenix Chapter 2828 North Central Avenue Phoenix, Arizona 85004 (602)640-2329	***Glendale*** Chamber of Commerce 7105 North 59th Avenue Glendale, Arizona 85311 (602)937-4754
Northern Arizona Chapter Post Office Building, Suite 307 101 West Goodwin Prescott, Arizona 86303 (520)778-7438	***Flagstaff*** 1010 West Santa Fe, 2nd Floor Flagstaff, Arizona 86001 (520)527-7333
Tucson Chapter Federal Building, Room 7H 300 West Congress Street P.O. Box F033 Tucson, Arizona 85701 (520)670-4761	
Yuma Chapter Yuma Chamber of Commerce 377 South Main Street, 2nd Floor Yuma, Arizona 85364 (520)782-2400	

BUSINESS AFFILIATIONS

For additional information on other organizations and affiliations, visit your public library resource center and look in the yellow pages under "Associations." The organizations listed below represent only a few of the not-for-profit groups providing business assistance.

American Society of Interior Designers
3900 East Camelback Road
Suite 200
Phoenix, Arizona 85018
(602) 912-5304

American Society of Travel Agents
7001 Main Street
Scottsdale, Arizona 85251
(602) 946-5333

American Society of Home Inspectors
85 West Algonquin Road, Suite 360
Arlington Heights, Illinois 6005
(800) 743-2744

Arizona Association of Bed & Breakfast Inns
P.O. Box 7186
Phoenix, Arizona 85011
(602) 277-0775

Arizona Association of Chiropractic
5060 North 19th Avenue, Suite 413
Phoenix, Arizona 85015
(602) 246-0664

Arizona Association Homes for Aging
340 East Palm Lane, Suite 310
Phoenix, Arizona 85004
(602) 253-6171

Arizona Association of Industries
2025 North 3rd Street, Suite 175
Phoenix, Arizona 85004
(602) 252-9415

Arizona Authors Association
3509 East Shea Blvd., Suite 117
Phoenix, Arizona 85028
(602) 996-9706

Arizona Auto Dealers Association-New Cars
P.O. Box 32717
Phoenix, Arizona 85064
(602) 468-0883

Arizona Book Publishing Association
4041 North Central Avenue
Suite 750
Phoenix, Arizona 85012
(602) 274-6264

Arizona Builders Alliance
1314 North Third Street, Suite 110
Phoenix, Arizona 85004
(602) 254-7025

Arizona Child Care Association
8808 North Central Avenue
Suite 258
Phoenix, Arizona 85020
(602) 944-1244

Arizona Consulting Engineers Association
24 West Camelback Road, Suite M
Phoenix, Arizona 85013
(602) 264-4871

Arizona Contractors Association
5701 North Black Canyon Highway
Phoenix, Arizona 85105
(602) 246-8627

Arizona Department of Transportation
Minority Certification Program
Affirmative Action Office
206 South 17th Avenue, Suite 154A
Phoenix, Arizona 85007
(602) 255-7761

Arizona Drycleaners & Launderers Association
1617 Palmcroft Drive South West
Phoenix, Arizona 85007
(602) 253-9186

Arizona Employers' Council, Inc.
1820 North 7th Street
Phoenix, Arizona 85006
(602) 258-2681

Arizona Florists Association
15215 North Cave Creek Road
Phoenix, Arizona 85032
(602) 992-4710

Arizona Guide Association
P.O. Box 10083
Phoenix, Arizona 85064
(602) 641-5457

Arizona Hotel & Motel Association
2201 East Camelback Road
Suite 125B
Phoenix, Arizona 85016
(620) 553-8802

Arizona Independent Auto Dealers Association
3420 South 48th Street
Phoenix, Arizona 85048
(602) 894-2452

Arizona Innovation Network
1435 North Hayden Road
Scottsdale, Arizona 85257
(602) 990-9558

Arizona Jewelers Association
2323 North Central Avenue
Suite 804
Phoenix, Arizona 85004
(602) 254-3328

Arizona Landscape Contractors Association
1802 East Thomas, Suite 14
Phoenix, Arizona 85016-8134
(602) 279-3293

Arizona Licensor Franchisor Association
c/o Quarles & Brady
1 East Camelback, Suite 400
Phoenix, Arizona 85012
(602) 230-5500

Arizona Macintosh Users Group
4131 North 24th Street, Suite A120
Phoenix, Arizona 85016
(602) 553-8966

Arizona Medical Association
810 West Bethany Home Road
Phoenix, Arizona 85013
(602) 246-8901

Arizona Mobil Housing Association, Inc.
4700 East Thomas Road, Suite 103
Phoenix, Arizona 85018
(602) 952-1102

Arizona Newspaper Association
1105 East Missouri Avenue
Phoenix, Arizona 85014
(602) 277-3600

Arizona Nursery Association
1430 West Broadway, Suite A-125
Tempe, Arizona 85282
(602) 966-1610

Arizona Paralegal Association
P.O. Box 392
Phoenix, Arizona 85001-0392
(602) 258-0121

Arizona Professional Employment Network-East Office
225 East Main Street, Suite 110
Mesa, Arizona 85210
(602) 834-7777

Arizona Professional Employment Network-North Office
9801 North 7th Street
Phoenix, Arizona 85020
(602) 944-3504

Arizona Resale Clothing Association
2033 East Camelback Road
Phoenix, Arizona 85017
(602) 954-6080

Arizona Restaurant Association
2701 North 16th Street, Suite 221
Phoenix, Arizona 85006
(602) 234-0701

Arizona Retailer's Association
6915 East Main Street, Suite 202
Mesa, Arizona 85207
(602) 396-3256

Arizona Small Business Association
1500 East Bethany Home Road Suite 120
Phoenix, Arizona 85014
(602) 265-4563

Arizona Society of Certified Public Accountants
432 North 44th Street, Suite 300
Phoenix, Arizona 85008
(602) 273-0100

Arizona Society of Practicing Accountants
P.O. Box 13895
Scottsdale, Arizona 85267
(602) 443-8977

Arizona Software Association
3900 East Camelback Road
Suite 200
Phoenix, Arizona 85018
(602) 912-5351

Arizona Tax Research Association
1814 West Washington Street
Phoenix, Arizona 85007
(602) 253-9121

Arizona Technology Incubator
1435 North Hayden Road
Scottsdale, Arizona 85257
(602) 990-0400

Arizona Tooling & Machining Association
P.O. 16899
Phoenix, Arizona 85011
(602) 242-8826

Arizona Travel Agents Association
1616 East Indian School Road
Suite 225
Phoenix, Arizona 85016
(602) 266-5577

Arizona Womens Educational & Employment
755 East Willetta Street
Phoenix, Arizona 85006
(602) 258-0864

Associated General Contractors
Arizona Chapter
P. O. Box 6878
Phoenix, Arizona 85005
(602) 252-3926

Associated Locksmiths of America
5007 West Pinchot
Phoenix, Arizona 85031
(602) 271-3362

•

850 East 24th Street
Yuma, Arizona 85365-2830
(520) 726-8643

Association for Supportive Child Care
4701 South Lakeshore Drive
Suite 101
Tempe, Arizona 85282
(602) 829-0500

Automotive Service Association of Arizona
P.O. Box 10584
Glendale, Arizona 85318
(602) 867-6792

Better Business Bureau-Phoenix
4428 North 12th Street
Phoenix, Arizona 85014
(602) 264-1227

Better Business Bureau-Tucson
3620 North 1st Avenue, Suite 136
Tucson, Arizona 85719
(520) 888-5353

Chicanos Por La Causa-Phoenix
501 West Apache Street
Phoenix, Arizona 85003
(602) 252-0482

Chicanos Por La Causa-Tucson
1525 North Oracle Road, Suite 105
Tucson, Arizona 85705
(520) 882-0018

City of Phoenix Minority Certification Program
Equal Opportunity Business Relations Division
251 West Washington Street
Phoenix, Arizona 85003
(602) 262-6790

City of Tucson Minority Certification Program
Compliance and Business Development
City Manager's Office
P.O. Box 27210
Tucson, Arizona 85726
(520) 791-4593

Entrepreneurial Mothers Association
P.O. Box 41323
Mesa, Arizona 85274-1323
(602) 892-0722

Executive Service Core of Arizona
4628 North 17th Street, Suite 105
Phoenix, Arizona 85016
(602) 265-4850

Grand Canyon Minority Supplier Development Council
P.O. Box 1268
Phoenix, Arizona 85001
(602) 495-9950

Home Builders Association of Cen Arizona
2111 East Highland Avenue
Phoenix, Arizona 85016
(602) 274-6545

Impact for Enterprising Women
P.O. Box 15812
Phoenix, Arizona 85023
(602) 389-6110

Independent Computer Consultants Association
P.O. Box 32055
Phoenix, Arizona 85064
(602) 942-0667

International Society of Meeting Planners
8383 East Evans Road
Scottsdale, Arizona 85260
(602) 483-0000

Maricopa County Bar Association
303 East Palm Lane
Phoenix, Arizona 85004
(602) 257-4200

Maricopa County Medical Society
326 East Coronado Road
Phoenix, Arizona 85004
(602) 252-2015

Maricopa County Minority & Women Business Enterprise Office-Minority Certification Program
2901 West Durango Street
Phoenix, Arizona 85009
(602) 506-8656

Meeting Professionals International
P.O. Box 44956
Phoenix, Arizona 85064
(602) 277-1494

Micro Industry Credit Rural Organization
806 East 46th Street
Tucson, Arizona 85713
(520) 622-3553

National Association of Purchasing Management-Arizona
P.O. Box 31276
Phoenix, Arizona 85046-1276
(602) 253-6453

National Association of Women Business Owners
7031 East Camelback Road
Suite 101
Scottsdale, Arizona 85251
(602) 708-1013

National Association of Women in Construction
P.O. Box 6142
Phoenix, Arizona 85005
(602) 220-1441

National Federation of Independent Business
2907 North 2nd Street
Phoenix, Arizona 85012
(602) 263-7690

National Speakers Association
1500 South Priest Drive
Tempe, Arizona 85281
(602) 968-2552

Phoenix Advertising Club
3370 North Hayden Road
Suite 123-298
Scottsdale, Arizona 85251
(602) 990-0440

Phoenix, Women's Apparel Association
4816 East Marilyn Road
Scottsdale, Arizona 85254
(602) 494-7203

Pima County Bar Association
177 North Church Avenue, Suite 101
Tucson, Arizona 85701
(520) 623-4625

Pima County Medical Society
5199 East Farness Drive
Tucson, Arizona 85712
(520) 795-7985

Printing Industry Association
4315 North 12th Street, Suite 200
Phoenix, Arizona 85004
(602) 265-7742

Service Stations Dealers of Arizona, Inc.
1030 East Guadalupe Road
Suite 110
Tempe, Arizona 85283
(602) 491-1301

State Bar of Arizona
111 West Monroe Street, Suite 1800
Phoenix, Arizona 85003
(602) 252-4804

Tucson Advertising Club
1604 North Country Club Road
Tucson, Arizona 85716
(520) 326-1060

State of Arizona

Trademark and Trade Name Laws

1912

Published by
JANE DEE HULL
Secretary of State
State Capitol Executive Tower
Phoenix, Arizona 85007-2888
(602) 542-6187

February 1995

The Office of the Secretary of State is an equal opportunity employer.

Requests for reasonable alternate formats and/or accommodations can be made five days in advance by contacting the Secretary of State ADA Coordinator at (602) 542-4285.

ARIZONA REVISED STATUTES

TITLE 41
STATE GOVERNMENT

CHAPTER 1
EXECUTIVE OFFICERS

ARTICLE 2. THE SECRETARY OF STATE AND THE DEPARTMENT OF STATE

§ 41–126. Fees

The secretary of state shall receive the following fees:

1. Making a copy of any document on file in his office, fifty cents for each page or partial page.

* * * * * * * * * *

3. Filing an application for registration or renewal of the registration of a trademark or recording an assignment of a trademark, fifteen dollars.
4. Filing an application for registration or renewal of the registration of a trade name or recording an assignment of a trade name, ten dollars.

* * * * * * * * * *

ARIZONA REVISED STATUTES

TITLE 44
TRADE AND COMMERCE

CHAPTER 10
COMPETITION AND COMPETITIVE PRACTICES

ARTICLE 3. REGISTRATION AND PROTECTION OF TRADEMARKS

§ 44–1441. Definitions

A. In this article, unless the context otherwise requires:
   1. "Applicant" means the person filing an application for registration of a trademark under this article, his legal representatives, successors or assigns.
   2. "Person" means any individual, firm, partnership, corporation, association, union or other organization.
   3. "Registrant" means the person to whom the registration of a trademark under this article is issued, his legal representatives, successors or assigns.
   4. "Trademark" means any word, name, symbol, or device or any combination thereof adopted and used by a person to identify goods made or sold by him and to distinguish them from goods made or sold by others.

B. A trademark shall be deemed to be "used" in this state when it is placed in any manner on the goods or their containers or on the tags or labels affixed thereto and such goods are sold or otherwise distributed in this state.

§ 44–1442. Registrability

A trademark by which the goods of any applicant for registration may be distinguished from the goods of others shall not be registered if it:

1. Consists of or comprises immoral, deceptive or scandalous matter.
2. Consists of or comprises matter which may disparage or falsely suggest a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute.
3. Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any state or municipality, or of any foreign nation, or any simulation thereof.

4. Consists of or comprises the name, signature or portrait of any living individual, except with his written consent.
5. Consists of a mark which:
    - (a) When applied to the goods of the applicant, is merely descriptive or deceptively misdescriptive of them.
    - (b) When applied to the goods of the applicant is primarily geographically descriptive or deceptively misdescriptive of them.
    - (c) Is primarily merely a surname, but nothing in this paragraph shall prevent the registration of a mark which has become distinctive of the applicant's goods in this state. The secretary of state may accept as prima facie evidence that a mark has become distinctive of the applicant's goods in this state, proof of substantially exclusive and continuous use of such mark in this state by the applicant during the five–year period preceding the execution of the application for registration.
6. Consists of or comprises a trademark which so resembles a trademark registered in this state or a trademark or trade name previously used in this state by another and not abandoned, as to be likely, when applied to the goods of the applicant, to cause confusion or mistake or to deceive.

§ 44–1443. Application for registration; fee

A. Subject to the limitations set forth in this article, any person who adopts and uses a trademark in this state may file in the office of the secretary of state, on a form to be furnished by the secretary of state, an application for registration of that trademark setting forth, but not limited to, the following information:
1. The name and business address of the person applying for such registration and, if a corporation, the state of incorporation.
2. The goods in connection with which the mark is used, the mode or manner in which the mark is used in connection with such goods, and the class in which such goods fall.
3. The date when the trademark was first used anywhere, and the date when it was first used in this state by the applicant or his predecessor in business.
4. A statement that the applicant is the owner of the trademark and that no other person has the right [illegible] use such trademark in this state either in the identical form thereof or in such near resemblance thereto as might be calculated to deceive or to be mistaken therefor.

B. The application shall be:
1. Signed and verified by the applicant, or by a member of the firm or any officer of the corporation or association applying.
2. Accompanied by a specimen or facsimile of such trademark in triplicate.

§ 44–1444. Certificate of registration; admissibility as evidence

A. Upon compliance by the applicant with the requirements of this article, the secretary of state shall cause a certificate of registration to be issued and delivered to the applicant. The certificate shall be issued under the signature of the secretary of state and the seal of the state, and it shall show:
1. The name and business address and, if a corporation, the state of incorporation, of the person claiming ownership of the trademark.
2. The date claimed for the first use of the trademark anywhere and the date claimed for the first use of the trademark in this state.
3. The class of goods and a description of the goods on which the trademark is used.
4. A reproduction of the trademark.
5. The registration date and the term of the registration.

B. A certificate of registration issued by the secretary of state under the provisions of this article or a copy thereof duly certified by the secretary of state shall be admissible in evidence as competent and sufficient proof of the registration of such trademark in any action or judicial proceedings in any court of competent jurisdiction in this state.

§ 44–1445. Duration of registration; renewal notice; application and fee

A. Registration of a trademark under the provisions of this article shall be effective for a term of ten years from the date of registration. Upon application filed within three months prior to the expiration of such term, on a form to be furnished by the secretary of state, the registration may be renewed for a like term. A trademark registration may be renewed for successive periods of ten years in like manner.

B. The secretary of state shall notify registrants of trademarks, registered under this article, of the necessity of renewal within the year next preceding the expiration of the ten years from the date of registration by writing to the last known address of the registrants.

C. Any registered trademark in force on the date on which this article becomes effective shall expire ten years from the date of the registration, or of the last reregistration thereof, or two years after the effective date of this article, whichever is later, and may be reregistered by filing an application with the secretary of state on a form furnished by him and paying the renewal fee therefor within three months prior to the expiration of the registration.

D. The secretary of state shall, within six months after the effective date of this article, notify all registrants of trademarks under previous acts of the date of expiration of such registrations, unless reregistered in accordance with the provisions of this article, by sending such information to the last known address of the registrants by mail.

§ 44–1446. Assignment of trademark and registration

Any trademark and its registration under the provisions of this article shall be assignable with the goodwill of the business in which the trademark is used or with that part of the goodwill of the business connected with the use of and symbolized by the trademark. Assignment shall be by instruments in writing duly executed and may be recorded with the secretary of state who upon recording of the assignment shall issue in the name of the assignee a new certificate for the remainder of the term of the registration or of the last reregistration thereof. An assignment of any registration under this article shall be void as against any subsequent purchaser for valuable consideration without notice, unless it is recorded with the secretary of state within three months after the date thereof or prior to such subsequent purchase.

§ 44–1447. Records

The secretary of state shall keep for public examination a record of all trademarks registered or renewed under this article.

§ 44–1448. Cancellation of registrations

The secretary of state shall cancel from the register:

1. After two years from the effective date of this article, all registrations under prior acts which are more than ten years old and not reregistered in accordance with this article.
2. Any registration concerning which the secretary of state shall receive a voluntary request for cancellation thereof from the registrant or the assignee of record.
3. All registrations granted under this article and not reregistered in accordance with the provisions hereof.
4. Any registration concerning which a court of competent jurisdiction shall find:
   (a) That the registered trademark has been abandoned.
   (b) That the registrant is not the owner of the trademark.
   (c) That the registration was granted improperly.
   (d) That the registration was obtained fraudulently.
   (e) That the registered trademark is so similar to a trademark registered by another person in the United States patent office, prior to the date of the filing of the application for registration by the registrant under this article, and not abandoned, that it might cause confusion or mistake, or a person to be deceived, but if the registrant proves that he is the owner of a concurrent registration of his trademark in the United States patent office covering an area including this state, the registration under this article shall not be canceled.
5. When a court of competent jurisdiction shall order cancellation of a registration on any ground.

§ 44–1449. Classification of goods

A single application for registration of a trademark may include any or all goods upon which the trademark is actually being used comprised in a single class, but in no event shall a single application include goods upon which the trademark is being used which fall within different classes of goods. The following general classes of goods are established for convenience of administration of this article, but not to limit or extend the applicant's or registrant's rights:

1. Raw or partly prepared materials.
2. Receptacles.
3. Baggage, animal equipments, portfolios and pocketbooks.
4. Abrasives and polishing materials.
5. Adhesives.
6. Chemicals and chemical compositions.
7. Cordage.
8. Smokers' articles, not including tobacco products.
9. Explosives, firearms, equipments and projectiles.
10. Fertilizers.
11. Inks and inking materials.
12. Construction materials.
13. Hardware and plumbing and steam–fitting supplies.
14. Metals and metal castings and forgings.
15. Oils and greases.
16. Paints and painters' materials.
17. Tobacco products.
18. Medicines and pharmaceutical preparations.
19. Vehicles.
20. Linoleum and oiled cloth.
21. Electrical apparatus, machines and supplies.
22. Games, toys and sporting goods.
23. Cutlery, machinery, tools and parts thereof.
24. Laundry appliances and machines.
25. Locks and safes.
26. Measuring and scientific appliances.
27. Horological instruments.
28. Jewelry and precious metalware.
29. Brooms, brushes and dusters.
30. Crockery, earthenware and porcelain.
31. Filters and refrigerators.
32. Furniture and upholstery.
33. Glassware.
34. Heating, lighting and ventilating apparatus.
35. Belting, hose, machinery packing and nonmetallic tires.
36. Musical instruments and supplies.
37. Paper and stationery.
38. Prints and publications.
39. Clothing.
40. Fancy goods, furnishings and notions.
41. Canes, parasols and umbrellas.
42. Knitted, netted and textile fabrics and substitutes therefor.
43. Thread and yarn.
44. Dental, medical and surgical appliances.
45. Soft drinks and carbonated waters.
46. Foods and ingredients of foods.
47. Wines.
48. Malt beverages and liquors.
49. Distilled alcoholic liquors.
50. Merchandise not otherwise classified.

51. Cosmetics and toilet preparations.
52. Detergents and soaps.

§ 44–1450. Fraudulent registration; damages

Any person who for himself, or on behalf of any other person, procures the filing or registration of any trademark in the office of the secretary of state under the provisions of this article by knowingly making any false or fraudulent representation or declaration, verbally or in writing, or by any other fraudulent means, shall be liable to pay all damages sustained in consequence of such filing or registration, to be recovered by or on behalf of the party injured thereby in any court of competent jurisdiction.

§ 44–1451. Remedies for infringement

A. Subject to the provisions of § 44–1452, the owner of a trademark registered under this article may proceed by civil action against any person who, without the consent of the registrant:
   1. Advertises for sale, offers for sale, sells, or distributes in this state goods bearing the registered mark or a mark similar thereto if such advertising for sale, offering for sale, sale or distribution is likely to cause confusion or mistake or to deceive persons as to the source or origin of such goods.
   2. Reproduces, counterfeits, copies or colorably imitates a registered mark in any manner whatsoever if such reproductions, counterfeits, copies or colorable imitations are for usage in contravention of paragraph 1 of this subsection.

B. In any such action, the court:
   1. May grant injunctions to restrain any of such acts as the court deems just and reasonable.
   2. May also require the defendant to pay to the plaintiff, subject to the principles of equity:
      (a) Defendant's profits.
      (b) Any damages sustained by the plaintiff.
      (c) The costs of the action, provided that no profits or damages shall be awarded in the case of an action brought under paragraph 2, subsection A, of this section, unless the acts were committed with knowledge that the usage would be in contravention of paragraph 1.
   3. May also order the cancellation or transfer of a registration or that any reproductions, copies, counterfeits, or colorable imitations of the registered mark in the possession or under the control of the defendant be destroyed or delivered up for destruction.

C. The enumeration of any right or remedy provided in this article shall not affect a registrant's right to prosecution under any penal law of this state.

§ 44–1452. Common law rights

Nothing in this article shall adversely affect the rights or the enforcement of rights in trademarks acquired in good faith at any time at common law.

§ 44–1453. Counterfeiting or using counterfeit of label, trademark or form of advertising adopted by corporation, association or union; classification

A person who counterfeits, imitates or knowingly uses the counterfeit or imitation of a label, trademark or form of advertisement which indicates that the goods to which such label, trademark or form of advertisement is attached were manufactured by a corporation, association or members of a union of working persons, which label, trademark or form of advertisement has been adopted by a corporation, association or union of working persons for its own protection, is guilty of a class 3 misdemeanor.

§ 44–1454. Counterfeit of trademark with intent to pass off goods; classification

A person who knowingly reproduces, copies, forges, counterfeits or imitates a trademark usually affixed by any person to his goods, with intent to pass off the goods to which such forged or counterfeited trademark is affixed or intended to be affixed as the goods of such person, is guilty of a class 2 misdemeanor.

§ 44–1455. Sale or keeping for sale of goods bearing counterfeit trademark; violation; classification

A person who knowingly sells or keeps for sale goods upon or to which a counterfeited trademark is affixed, intending to represent such goods as genuine goods of another, knowing the trademark to be counterfeit, is guilty of a class 2 misdemeanor.

§ 44-1456. Use of trademarked container for other articles; violation; classification

A person who has or uses a cask, bottle, vessel, case, cover, label or other thing bearing or having in any way connected with it the duly filed trademark or name of another, for the purpose of disposing of, with intent [illegible] deceive or defraud, any article other than the article which such container or thing originally contained or was connected with by the owner of such trademark or name, is guilty of a class 2 misdemeanor.

ARTICLE 3.1 TRADE NAMES

§ 44-1460. Registration of trade name, title or designation

A. Any person, partnership, corporation, firm, association, society, foundation, federation or organization doing business in this state, or any foreign corporation licensed to exercise its corporate powers in this state, may register with the secretary of state, on a form to be furnished by him, the name, title or designation under which such applicant is operating, setting forth, but not limited to, the following information:

  1. The name and business address of the applicant for such registration. If the applicant is a corporation, the state of its incorporation shall be disclosed.
  2. The name, title or designation to be registered.
  3. The general nature of the business conducted by the applicant.
  4. The length of time during which the name, title or designation has been used by the applicant in his business operations in this state.

B. The applicant or a member or officer of the firm, partnership, corporation, association, society, foundation, federation or other organization shall sign and verify the application.

C. A single name, title or designation may be registered upon each application submitted under the provisions of this article.

§ 44-1460.01. Issuance of certificate; restrictions

A. Upon compliance by the applicant with the requirements of this article the secretary of state shall issue [illegible] certificate of registration. The certificate shall show the name and business address of the applicant, the name, title or designation registered, the date of first use claimed, the date of registration and the term of registration.

B. The secretary of state shall not file an application for the registration of any trade name, title or designation if it might mislead the public, or is not readily distinguishable from names, titles or designations previously registered under the provisions of this article, and which are still in effect.

C. The secretary of state shall not file an application for the registration of any trade name, title or designation if it is the same as, or deceptively similar to, an existing corporate name or a corporate name reserved pursuant to title 10, chapters 1, 2 and 5.

§ 44-1460.02. Effective term of registration; renewal; expiration notice

A. Registration of a name, title or designation under the terms of this article is effective for a term of five years from the date of registration. Upon application filed within six months prior to the expiration of such term, on a form furnished by the secretary of state, the registration may be renewed at the end of each five-year period for a like term.

B. The secretary of state shall notify registrants within the sixty days next preceding the expiration of the five years from the date of registration of the necessity of renewal by writing to the last known address of the registrants.

§ 44-1460.03. Assignment and recording of rights

Any name, title or designation and its registration may be assignable by an instrument in writing duly executed and may be recorded with the secretary of state who upon recording the assignment shall issue in the name of the assignee a new certificate for the remainder of the term of the registration or of the last renewal of the registration.

§ 44-1460.04. Public examination of records

The secretary of state shall keep for public examination a record of all trade names registered or renewed under the provisions of this article.

§ 44–1460.05. Exclusive rights; common law rights

A. The registration of a trade name if prior in time to the filing of articles of incorporation or the reservation of a corporate name shall give to the holder of the registered trade name exclusive right to the use of such name.

B. Nothing in this article shall adversely affect the rights or the enforcement of rights in trade names acquired in good faith at any time at common law.

1912

MAIL TO:
Secretary of State
ATTN: Trademarks
1700 West Washington, 7th Floor
Phoenix, Arizona 85007-2808
FILING FEE: $15.00

APPLICATION
FOR
REGISTRATION OF TRADEMARK

(A.R.S. Title 44, Chapter 10, Article 3)

TELEPHONE ______________

1. BE IT KNOWN that the applicant ______________________________ has heretofore adopted and used a certain trademark and hereby makes application for registration of such trademark.

2. Address of applicant is: ______________________________
(Street No. or Box No.) (City) (State) (Zip)
____

3. (Check one) ☐ Individual ☐ Partnership ☐ Corporation
If partnership, names and addresses of partners:
______________________ ______________________
______________________ ______________________
If corporation, state of incorporation: ______________________

4. Description of trademark: ______________________________
____

5. Description of goods in connection with which mark is used: ______________________
____
____

6. Mode or manner in which mark is used in connection with goods: ______________________
____
and three specimens or facsimiles of the mark as actually used are presented herewith.

7. Classification Number and Title ______________________________
(A.R.S. § 44-1449)

8. Date of first use by applicant or predecessor:
   a. Anywhere: ______________________________
   (Month) (Day) (Year)
   b. In this State: ______________________________
   (Month) (Day) (Year)

____
(Applicant's Printed Name)

Subscribed and sworn to before me this ______ day of ______________________, 19 ____.

____
(Applicant Sign Here) (Title)

____
(Notary Public)

My commission expires: ______________________

1912

MAIL TO:
Secretary of State
ATTN: Trade Names
1700 West Washington, 7th Floor
Phoenix, Arizona 85007-2808
FILING FEE: $10.00

APPLICATION FOR REGISTRATION OF TRADE NAME

(A.R.S. Title 44, Chapter 10, Article 3.1)

1. BE IT KNOWN that the applicant ______________________ Phone # ______________
(Name of Applicant)

(Check one)
- ☐ Person
- ☐ Partnership
- ☐ Corporation
- ☐ Firm
- ☐ Association
- ☐ Society
- ☐ Corporation
- ☐ Federation
- ☐ Organization
- ☐ Foreign Corporation licensed to do business in this state

hereby makes application for registration of the name, title or designation under which such applicant is operating by filing the following statements with the Secretary of State of Arizona:

1. a. Name of applicant(s) ______________________

____

b. Arizona business address ______________________
(Street No. or Box No.)

____
(City) (State) (Zip)

2. If incorporated, state of incorporation: ______________________

3. Name, title or designation to be registered ______________________

____

____

4. General nature of business conducted ______________________

____

5.. The date the name, title or designation was first used by the applicant in business operations within this state is

____
(Month) (Day) (Year)

____
(Applicant's Printed Name)

Subscribed and sworn to before me this _______ day of ______________________, 19 _____.

____
(Applicant Sign Here) (Title)

____
(Notary Public)

My commission expires: ______________________

PHOENIX OFFICE
1300 West Washington
Phoenix, Arizona 85007-2929
P. O. Box 6019
Phoenix, Arizona 85005-6019
Phone: (602) 542-3135
Toll Free: 1-800-345-5819
(AZ Residents Only)

TUCSON OFFICE
400 West Congress
Tucson, Arizona 85701-1347
Phone: (602) 628-6560
Toll Free: 1-800-345-5819
(AZ Residents Only)

ARIZONA CORPORATION COMMISSION

GENERAL FILING INSTRUCTIONS
FOR
CORPORATIONS

ALL CORPORATIONS, DOMESTIC AND FOREIGN, MUST COMPLY WITH THE FOLLOWING AT THE TIME OF FILING.

1. Make sure that the corporate name you are using has been checked with the Commission and is available for use by your corporation. (The name may be reserved for 120 days for a fee of $10.00.)

   Phone: (602) 542-3230 (Phoenix office)
   (602) 628-6560 (Tucson office)

2. Deliver the original and one (1) or more copies of the Articles of Incorporation (for domestic corporations) OR Application for Authority (for foreign corporations) to the Commission, copies of which will be returned when all requirements have been satisfied.

3. Statutory Agent must have a street address. (P.O. Box not accepted.)

4. File the enclosed Certificate of Disclosure which must be signed and dated (within 30 days of delivery to this office) by all incorporators.

5. Pay the required (U.S.) fees. (Please make check payable to the Arizona Corporation Commission.)

Arizona Profit	- $60.00	Foreign Profit	- $175.00
Arizona Nonprofit	- $40.00	Foreign Nonprofit	- $175.00

6. Advise the Commission, in writing, of the fiscal year end date adopted by the corporation.

7. AFTER FILING THE ARTICLES OR APPLICATION, THEY MUST BE PUBLISHED. Within sixty (60) days after filing with the Commission, there must be published in a newspaper of general circulation in the county of the known place of business in Arizona, three (3) consecutive publications of a copy of the Articles of Incorporation (domestic) or Application for Authority (foreign). Within ninety (90) days after filing, an Affidavit evidencing the publication must be filed with the Commission.

   FOREIGN CORPORATIONS PLEASE NOTE: ALL APPLICATIONS FOR AUTHORITY, PROFIT AND NONPROFIT, MUST BE ACCOMPANIED BY A COPY OF THE ARTICLES OF INCORPORATION AND ALL AMENDMENTS AND MERGERS FILED THEREAFTER, CERTIFIED TO BE A TRUE AND CORRECT COPY AND A CERTIFICATE OF GOOD STANDING. BOTH THE CERTIFICATION AND THE GOOD STANDING MUST BE DATED WITHIN SIXTY (60) DAYS OF DELIVERY TO THIS OFFICE.

   NOTE: Any sample forms included with this Instruction Sheet reflect the minimum requirements set forth in the Arizona Revised Statutes, Title 10. They do not presume to include each and every clause that could pertain to the individual needs of your company. For such information, you should seek professional advice from a private source.

ALL CORPORATE DOCUMENTS FILED WITH THE ARIZONA CORPORATION COMMISSION, INCLUDING THE ANNUAL STATEMENT OF FINANCIAL CONDITION, ARE PUBLIC RECORD. AS SUCH, ALL CORPORATE FILES, WITHOUT EXCEPTION, ARE OPEN FOR PUBLIC INSPECTION.

C/F: 0034 REV. 1/94

ARIZONA CORPORATION COMMISSION
CORPORATIONS DIVISION

Phoenix Address: 1200 West Washington
Phoenix, Arizona 85007

Tucson Address: 400 West Congress
Tucson, Arizona 85701

CERTIFICATE OF DISCLOSURE

A.R.S. Sections 10-128 & 10-1084

PLEASE SEE REVERSE SIDE

____
EXACT CORPORATE NAME

CHECK APPROPRIATE BOX(ES) A or B
ANSWER "C"

THE UNDERSIGNED CERTIFY THAT:

A. ☐ No persons serving either by elections or appointment as officers, directors, incorporators and persons controlling, or holding more than 10% of the issued and outstanding common shares or 10% of any other proprietary, beneficial or membership interest in the corporation:

1. Have been convicted of a felony involving a transaction in securities, consumer fraud or antitrust in any state or federal jurisdiction within the seven-year period immediately preceding the execution of this Certificate.
2. Have been convicted of a felony, the essential elements of which consisted of fraud, misrepresentation, theft by false pretenses, or restraining the trade or monopoly in any state or federal jurisdiction within the seven-year period immediately preceding the execution of this Certificate.
3. Have been or are subject to an injunction, judgment, decree or permanent order of any state or federal court entered within the seven-year period immediately preceding the execution of this Certificate where such injunction, judgment, decree or permanent order:
   (a) Involved the violation of fraud or registration provisions of the securities laws of that jurisdiction; or
   (b) Involved the violation of the consumer fraud laws of that jurisdiction; or
   (c) Involved the violation of the antitrust or restraint of trade laws of that jurisdiction.

B. ☐ For any person or persons who have been or are subject to one or more of the statements in Items A.1 through A.3 above, the following information MUST be attached:

1. Full name and prior name(s) used.
2. Full birth name.
3. Present home address.
4. Prior addresses (for immediate preceding 7-year period).
5. Date and location of birth.
6. Social Security number.
7. The nature and description of each conviction or judicial action, date and location, the court and public a involved and file or cause number of case.

STATEMENT OF BANKRUPTCY, RECEIVERSHIP OR REVOCATION

A.R.S. Sections 10-128.01 and 10-1083

C. Has any person serving (a) either by election or appointment as an officer, director, trustee or incorporator of the corporation or, (b) major stockholder possessing or controlling any proprietary, beneficial or membership interest in the corporation, served in any such capacity or held such interest in any corporation which has been placed in bankruptcy or receivership or had its charter revoked? YES ____ NO ____

IF YOUR ANSWER TO THE ABOVE QUESTION IS "YES", YOU MUST ATTACH THE FOLLOWING INFORMATION FOR EACH CORPORATION:

1. Name and address of the corporation.
2. Full name, including alias and address of each person involved.
3. State(s) in which the corporation:
   (a) Was incorporated.
   (b) Has transacted business.
4. Dates of corporate operation.
5. A description of the bankruptcy, receivership or charter revocation, including the date, court or agency involved and the file or cause number of the case.

Under penalties of law, the undersigned incorporators/Officers declare that we have examined this Certificate, including any attachments, and to the best of our knowledge and belief it is true, correct and complete.

BY ______________________ DATE ________
TITLE ______________________

BY ______________________ DATE ________
TITLE ______________________

BY ______________________ DATE ________
TITLE ______________________

BY ______________________ DATE ________
TITLE ______________________

FISCAL DATE: ______________

293

C/F 001 - Domestic
Rev. 3/93

BEST COPY AVAILABLE

ARTICLES OF INCORPORATION

OF

OUR CORPORATION, INC.

SAMPLE

Cover letter should reference the following information:

ARTICLES OF INCORPORATION (Original + 1 copy)
FISCAL DATE
CHECK FOR FILING FEE
CERTIFICATE OF DISCLOSURE FORM
CORPORATE ADDRESS
AT WHAT ADDRESS AND TO WHOM SHOULD COMPLETED
COPY BE SENT.

Address to:

CORPORATION DIVISION
ARIZONA CORPORATION COMMISSION
P. O. Box 6019
Phoenix, Arizona 85005

Enclosed please find a Certificate of Disc[illegible] a check in the amount of sixty dollars ($60.00) and an original and one (1) copy of Articles [illegible]n.

Please be advised that we of ______________________________

Corporation, have selected the date of ______________________________

to be our Fiscal Ye[illegible]ate. The corporate address shall be ____________________

____

Please return the completed copy to the attention of:

____

Sincerely,

For additional information, call: 542-3135 (Phoenix Office)
628-6560 (Tucson Office)

ARTICLES OF INCORPORATION

OF

OUR CORPORATION, INC.

SAMPLE

ARTICLE I

NAME: The name of the corporation shall be OUR CORPORATION, INC.

ARTICLE II

PURPOSE: The purpose for which this corporation is organized is the transaction of any or all lawful business for which corporations may be incorporated under the laws of [illegible] State of Arizona, as they may be amended from time to time.

ARTICLE III

INITIAL BUSINESS: The corporation initially intends to [illegible] and operate real property in this state and to operate a general construction business.

ARTICLE IV

AUTHORIZED CAPITAL: The corporation [illegible] have the authority to issue one hundred thousand (100,000) shares of common stock [illegible] value of One Dollar ($1.00) per share.

ARTICLE V

STATUTORY AGENT: The name and address of the initial Statutory Agent, a bona fide resident of Arizona for three [illegible]

A. B. MUTT, ESQ.
D. Dogs Building
1234 West Canine Street
Phoenix, Arizona 85009

ARTICLE VI

BOARD OF DIRECTORS: The initial Board of Directors shall consist of two (2) Directors. (Only one director is required.) The person(s) who are to serve as Directors until the first annual meetings of shareholders or until their successors are elected and qualified are:

Betty Boop	1200 West Washington, Phoenix, Arizona 85007
Charlie McCarthy	1200 West Washington, Phoenix, Arizona 85007

SAMPLE – ARTILES OF INCORPORATION – DOMESTIC, PROFIT (continued)

The Directors are also the incorporators. (Two are required.)

(All Incorporators must sign.)

Betty Boop
Betty Boop

Charlie McCarthy
Charlie McCarthy

SAMPLE

DATED THIS 4th DAY OF July, 19 76.

I, A. B, Mutt, Esq., having been designated to act as Statutory Agent, hereby consent to act in that capacity un[illegible]moved or resignation is submitted in accordance with the Arizona Revised Statutes.

A. B. Mutt, Esq.
(Signature of Statutory Agent)

C/F: 0042
(Rev. 7/94)

296

VENDOR SETUP/ CHANGE

ADD ☐ CHANGE ☐ INACTIVATE ☐ DATE ______

Social Security # precede by 2, Tax Id # precede by 1, last digit will always be 0

VENDOR NUMBER (11 char)	
VENDOR NAME	
ADDRESS [redacted]	
CITY:	STATE: ZIP:

MAIL CODES (3)	000/001
[redacted]	

If a vendor has moved do NOT add a new M/C change the old one!!

ALTERNATE NAME(S)/ DOING BUSINESS AS (DBA)

1. ______

A Vendor contact name and phone number is REQUIRED. If you do not have one then you MUST put your name and agency phone number.

VENDOR CONTACT

VENDOR PHONE NUMBER

FAX NUMBER

SALES TAX LICENSE

VENDOR TYPE:	OWNERSHIP CODE :	1099
1. EMPLOYEE	E. STATE EMPLOYEE	N
2. FEDERAL AGENCIES	G. GOVERNMENTAL ENTITY	Y
3. AZ STATE AGENCIES	C. GOVERNMENTAL ENTITY	N
4. LOCAL GOVERNMENT	G. GOVERNMENTAL ENTITY	Y
5. VENDOR BUSINESS	A. ARIZONA CORP	N
	C. PROFESSIONAL CORP	Y
	F. FINANCIAL INSTITUTION	Y
	N. MEDICAL CORPORATION	Y
	O. OUT OF STATE CORP	N
	P. PROFESSIONAL ASSOCIATION	Y
	R. FOREIGN CORP	N
	S. SOLE OWNER	Y
	T. PARTNERSHIP	Y
6. VENDOR INDIVIDUAL	I. INDIVIDUAL RECIPIENT	Y
	S. SOLE OWNER	Y
7. OTHER (Other states, Trust funds, receivorships, etc.)	COULD BE ANY OF THE ABOVE OWNERSHIP CODES	Y
8. BOARD MEMBERS	B. BOARD MEMBERS	Y

AGENCY ID EDA

AUTHORIZED AGY SIGNER ______

*AGENCY PHONE NUMBER ______

1099 INFORMATION

AZ CORPS MUST BE INCORPORATED AND LISTED WITH THE AZ CORPORATION COMMISSION

*MEDICAL CORPS WILL ALWAYS BE 1099 YES

VENDOR NAMES THAT END IN LIMITED OR LTD ARE PARTNERSHIPS AND MUST BE 1099 YES

INDIVIDUAL RECIPIENTS/ BOARD MEMBERS SHOULD ALWAYS BE 1099 YES. THE COMP OBJECT USED WILL DETERMINE IF THE ITEM IS REPORTABLE 1099 INCOME.

IRS FORM 1099 MISCELLANEOUS INCOME MUST BE ISSUED TO VENDORS WHO:

1. PROVIDE A SERVICE TO THE STATE
2. ARE NOT INCORPORATED (*Except Medical Corps)
3. WHO ARE NON EMPLOYEES OF THE STATE

7-79

INSTRUCTIONS FOR COMPLETING VENDOR REGISTRATION

W -9'S Must be kept on file at the agency for all new vendors

VENDOR NUMBER This is an eleven (11) digit number. If the W-9 is filled out with a(n):

Taxpayers Federal Employer Identification Number it MUST be preceded by a "1" and must end in a "0". Individual Social Security numbers MUST be preceded by a "2" and end in a "0". Example 29876543210.

VENDOR NAME Enter the name with all CAPS no punctuation and only one space between names (NO EXTRA spaces). Enter names of individuals First Name Middle Initial Last Name. Examples: MARY^J^DOE, JOE^VENDOR, STEVEN^M^SMITH^SR. Enter Business names in the same manner no extra spaces and no punctuation. Example: ACE HARDWARE, STATE OF ARIZONA DOA. The name used MUST be associated with the Taxpayer Id Number. If a social security number is provided the name must be an individual. If a Federal Employer Id Number is provided, then it must be a business name.

ADDRESS Enter in all caps no punctuation. Example:

PO BOX 1234	1700 W WASHINGTON RM 290
OGDEN UT 56789	PHOENIX AZ 85007

COUNTRY If the Vendor is an Out-of-Country vendor, please send a completed Vendor Setup/Change form to GAO

VENDOR CONTACT/PHONE This field should be filled in with a name and phone # of a contact at the vendor. If you are unable to provide a contact please enter your name and agency phone number.

VENDOR TYPE/ OWNERSHIP Select the appropriate number corresponding to the description. Select the appropriate code that corresponds to the vendor type.

Doing Business As/ DBA If a Social Security Number is provided (from part I on the W-9) then it MUST be associated with the individuals name and set up a 2xxxxxxxxx0 and the first line of the vendor address can be DBA (vendor business name). EXAMPLE: John Jacobs DBA Jacobs Home Repairs. SS # 234567891. Enter as:
Vendor Number: 2234568910,
Vendor Name: JOHN JACOBS,
Address 1: DBA JACOBS HOME REPAIRS,
Address 2: 123 SUNSET BLVD City: TEMPE State: AZ Zip: 85282.
This will affect mail code 000 and 001. If you want warrants printed with the business name only set up a mail code 002 with Jacob Home Repairs as the vendor name.

If a Employer Identification Number is provided (from part I on the W -9) then it MUST be associated with the business name and set up as 1xxxxxxxxx0. EXAMPLE John Jacobs DBA Jacobs Home Repairs, Employer Id Number 678912345. Enter As:
Vendor Number: 16789123450,
Vendor Name: JACOBS HOME REPAIRS,
Address 1: 123 SUNSET BLVD City: TEMPE State: AZ Zip: 85282.

1099 INFO Arizona Corporations Must be Incorporated and registered with the Corporation Commission.

Vendors with P.C. in the title are Professional Corporations and should be Vendor Type 5, ownership code C and should be 1099 Yes. These Corporations are usually doctors, dentists, lawyers or accountants.

Vendors with MD., O.D., D.O., or DR. DDS, CPA, title are individual, and should be 1099 Yes. If they are incorporated then there should be a P.C. in the title, then they are a Professional Corporation and will be 1099 yes.

Medical Corporations are hospitals, medical supplies stores and other providers of medical or health care services. A group of physicians can be incorporated and could qualify as a medical corporation.

Vendors with Limited or LTD at the end of the title are Limited Partnerships and should be vendor type 5, ownership code T and must be 1099 Y.

Individuals/Board Members should always be 1099 Y. The Comp Object used to pay claims will determine if the item is 1099 reportable. (Travel reimbursement comp objects are set to 1099 No.)

QUESTIONS? Please call The General Accounting Office at 542-6228.

BEST COPY AVAILABLE

SECTION 8:

CHARTER SCHOOL OPERATIONS

SECTION 8:

CHARTER SCHOOL OPERATIONS

School Calendar: K-12 Example

The K-12 school calendar is provided as an example of how a Charter School can provide the minimum hours of instruction required. A detailed timetable of projected dates and activities for the school should be included in the school calendar and provide for at least 175 days of instruction. See **Section 6: Supplemental Legislation and Regulations, Definitions.**

1995 Updated Annual Vacant Building List

Each year the Arizona Department of Adminstration, by statute, is required to conduct an annual survey of ADOA Building Systems owners. This list, which is included in this section, does not appear to have any structures available or appropriate for a Charter School facility. If you need further information, contact John Holmes, Arizona Department of Administration, at (602) 542-4438.

Employment Policies and Procedures

The personnel policies and procedures for a Charter School, including those related to hiring, reassignment and terminations, must comply with applicable laws, such as those relating to labor, civil rights and non-discrimination. A description of personnel policies and procedures are required as part of the application process. Samples of the Table of Contents from Policy and Procedures Manuals of CALL-A-TEEN Center for Excellence and Boys and Girls Academy are included in this section. The topics in these manuals are suggestions of items you may want to include in your school's personnel and policy manual.

Uniform System of Financial Records

Budget forms, budget worksheets and instructions for Charter Schools have been prepared by School Finance personnel and staff of the Auditor General and Attorney General. See **Section 3: Application Procedures and Materials, Charter School Budget Revenue Projection Worksheets** for reference.

Senate Bill 1362 made revisions to A.R.S. § 15-185. Charter Schools: financing. Both of these documents need to be referenced to ensure understanding of the school's responsibilities in accepting and using public moneys. See **Section 5: Legislation Establishing Charter Schools** of the Handbook for referencing this legislation and also see **Section 9: Important Contacts, Budget and Apportionment.**

Transportation of Children Who Meet Economic Eligibility Requirements

Transportation must be supplied for economically disadvantaged students as stipulated by A.R.S. 15-186. See **Section 5: Legislation Establishing Charter Schools** for reference. An application for Free and Reduced-Price Meals, Notification Letter for School Meals and USDA Child Nutrition Program Income Guidelines are provided in this section of the Handbook. If you need additional information regarding free and reduced-price meals or income guidelines contact:

Carol Foxhoven, Finance Specialist
Child Nutrition Programs
Arizona Department of Education
1535 West Jefferson
Phoenix, Arizona 85007
(602) 542- 8724

3.1 SCHOOL CALENDAR

The school calendar for the 1995-1996 school year provides for 177/179 direct teaching days. This school calendar insures compliance with the minimum number of hours required in a school year as provided in § 15-341.

The school days is from 8:30 a.m. to 11:30 a.m. for kindergarten students. An extended-day kindergarten until 2:30 is available at parents' expense. The school day for Elementary I and II students is from 8:30 a.m. to 3:00 p.m.

	HOURS REQUIRED IN § 15-901 (a)(i)*	HOURS PROVIDED IN OUR CALENDAR
KINDERGARTEN	346 (901 A.2.a.i)	537
1ST, 2ND, 3RD	692 (901 A.2.b.i)	979
4TH, 5TH, 6TH	865 (901 A.2.b.i)	979
7TH & 8TH	1,038 (901 A.2.b.i)	1,153
HIGH SCHOOL	4 subjects - 120 hrs./yr. or 1 or more subj. - 20 hrs./week	

***Lunch periods and recess periods may not be included as part of instructional hours.**

Fife Symington
Governor

1912

Rudy Serino
Director

ARIZONA DEPARTMENT OF ADMINISTRATION
GENERAL SERVICES DIVISION • 15 SOUTH 15TH AVENUE, SUITE 201
PHOENIX, ARIZONA 85007
(602) 542-1920 - (602) 542-1776

July 13, 1995

Kathryn A. Kilroy, Executive Director
Arizona State Board for Charter Schools
Arizona Department of Education
1535 West Jefferson, Bin #8
Phoenix, Arizona 85007

Dear Ms. Kilroy:

At your request, we have performed our annual survey of ADOA Building System owners, and are transmitting a copy for your review. Based upon the attached status report, it does not appear that any structures within our system are available or appropriate for a Charter schooling facility.

If you have any further needs in this matter, please do not hesitate to contact John Holmes at 542-4438.

Sincerely,

Tim Brand

Tim Brand, General Manager
Building & Planning Services

Attachment

c: John F. Holmes

JUL 1995
RECEIVED
STATE BOARD FOR
CHARTER SCHOOLS

July 6, 1995

Updated List Of Vacant Or
Unused State Land For
Chartered School Program.

Agency	Contacted	Comments
AZ State Fair	Gary D. Spence	Nothing available.All land used for events and state fair.
AZ State Land Dept	G.A. Baker	Nothing available.
Dept of Agriculture	Bud Saylors	Same buildings available as last year.
Sharlot Hall Museum	Mac Harris	Nothing available. All buildings used for historical purpose.
Dept of Emergency & Military Affairs	Bob Perry	Have remote, uninhabited land across state for military purposes.
AZ Lottery	Sandy Williams	Nothing Available.
AZ State Schools for Deaf & Blind	Ken Proksa	Have state owned land used for grazing for school funding.
AZ Dept of Public Saftey	Richard Carlson	Nothing Available.
Arizona Historical Society	Jay Van Orden	Nothing Available.
Game & Fish Dept	Ray Perkins, Jr.	Nothing Available.
AZ Dept. of Youth Treatment & Rehab.	Fran Gonzalo	Nothing Available.
AZ Dept of Environmental Quality	Buddy Walker	Nothing Available.
AZ Power Authority	Donald Esgar	Nothing Availavle. Do not own land.
AZ Dept of Corrections	Samuel Lewis	Nothing Available.

Agency	Contacted	Comments
Health Services	Dave Mowry	Might have land. Will return information soon.
AZ Dept of Economic Security	Neil Young	Nothing Available
AZ State Parks	Rafael Payan	Nothing Available

Arizona CALL-A-TEEN *Youth Resources, Inc.*

TABLE OF CONTENTS

Page

1. Personnel Responsibilities
CEO's Letter 1
Functions of this Manual 2
Employee Supervision 3
Personnel Management 3
Code of Employer-Employee Relations 4
Employment At-Will 6

2. Employment
Equal Employment Opportunity 8
Productive Work Environment 8
Hiring 9
Orientation and Training 10
Medical Procedures 11
Serious Diseases 12
Introductory Period 12
Transfer 12
Promotion 14
Hours of Work 15
Outside Employment 15
Temporary and Part-time Employees 17
Termination of Employment 17

3. Pay Practices
Salary Administration 18
Performance Appraisals 18
Pay Procedures 18

4. Reimbursement of Employee Expenses
Travel: Automobile 20
Other 20
Meal Reimbursement 20

5. Employee Benefits

Health, Dental, etc. 22
Vacations 23
Personal Leave 25
Holidays 26
Sick Leave 27
Lunch Facilities 27

6. Company Premises and Work Areas

Employee Safety 28
Maintenance of Work Areas 28
Solicitation 28
Smoking 28

7. Absence from Work

Attendance and Punctuality 30
Short-term Absences 32
Leaves of Absence 35
Rest Breaks 35
Meal Breaks 35

8. Personal Conduct

Behavior of Employees 36
Personal Appearance of Employees 38
Personal Finances of Employees 39
Customer Relations 40
Use of Communication Systems 42
Conflicts of Interest 43
Confidential Nature of Company Affairs 44
Disciplinary Procedures 45
Drugs, Narcotics, and Alcohol 48

9. Miscellaneous

Personnel Records 50
Participation in Community Affairs 51
Suggestion Program 53
Grievance Procedures 54

10. Letters, Updates, Memos, etc.

308

BOYS AND GIRLS CLUB OF THE EAST VALLEY

POLICY AND PROCEDURES MANUAL

Table of Contents

100 Introduction
- 101 Introduction
- 102 Definition of Terms
- 105 Mission of the Boys and Girls Club
- 110 Why a Boys and Girls Club
- 111 Programming Principles
- 115 Profile of the Organization

200 Employment
- 201 Responsibility for Employing Staff
- 202 Hiring Procedure for Full Time Employees
- 203 Hiring Procedures for Part Time or Temporary Employees
- 205 Equal Employment Opportunity
- 206 Affirmative Action
- 210 Harassment
- 215 Communicable Diseases
- 220 Drugs and Alcohol
- 221 Affirmation of a Drug Free Workplace
- 225 Smoking
- 235 Introductory Period
- 240 Orientation
- 241 Incentives
- 245 Layoff and Recall
- 250 Severance Pay
- 255 Exit Interviews
- 260 Employment Agreements

300 Pay Practices
- 301 Classification of Employees
- 305 Adding an Employee to Payroll
- 315 Pay Procedures
- 320 Time Records
- 325 Hours of Work
- 340 Salary Policies
- 350 Direct Payroll Deposit
- 355 Work Study Personnel
- 360 Overtime

400 **Personnel Policies**
- 405 Personnel Records
- 406 Updating Personnel Records
- 410 Release of Personnel Information
- 415 Personal Phone Calls and Mail
- 420 Employment of Relatives
- 430 Conflicts of Interest
- 431 Controversial Issues
- 440 Outside Work
- 450 Garnishment
- 455 Salary Advances
- 465 Gifts and Gratuities
- 470 Speeches, Articles, Community or Civic Involvements
- 475 Use of Club Vehicles
- 480 Use of Personal Vehicle on Organization Business
- 485 Personal Use of Organization Vehicles by Authorized Employees
- 490 Employee Purchases

500 **Expenses**
- 510 Reimbursement for Mileage Expenses
- 515 Membership in Professional or Civic Organizations
- 525 Reimbursement for Participation in Organizational Events
- 550 Travel/Meal Reimbursement

600 **Benefits**
- 601 Eligibility for Benefits
- 605 Medical Insurance
- 610 Dental Insurance
- 615 Long Term Disability
- 620 Life Insurance
- 625 Supplemental Life Insurance
- 626 Special Insurance Plans
- 630 Pension
- 635 Worker's Compensation
- 640 Holidays
- 645 Vacations
- 650 Sick Pay
- 655 Discretionary Days
- 656 Voting
- 660 COBRA
- 665 Professional Development
- 670 Certification

700 **Leaves of Absence**
- 701 Leaves of Absence
- 710 Personal Leave

- 715 Military
- 720 Jury/Witness Duty
- 725 Bereavement Leave
- 730 Other Special Events

800 Employee Performance

- 801 Performance Review and Evaluation
- 805 Discipline
- 810 Work Rules
- 815 Absenteeism
- 820 Tardiness
- 825 Personal Appearance
- 830 Grievance Procedures
- 840 Resignation
- 845 Discharge

900 Job Description

- 901 Job Descriptions
- 905 Transfers and Special Assignment
- 910 Promotion and Transfer
- 915 Federal Laws Governing Employment
- 920 Arizona Laws Governing Employment
- 925 Child Labor Laws

1000 Safety

1100 Procedures

- 1101 Function of the Administrative Office
- 1105 Bulk Mailings
- 1110 Incoming Mail
- 1111 Meeting Reports
- 1115 Keys for Buildings and Vehicles
- 1120 Flowers
- 1125 Request for Certificates of Insurance
- 1130 Leases
- 1131 Use of Facilities by Outside Groups
- 1132 Acceptance of Grant Proposals, Program Service Agreements and Contracts
- 1140 External Policy
- 1160 Branch Budgets
- 1165 Corporate, Branch and United Way Identification
- 1171 Extra-Curricular Activities
- 1175 Group Clubs
- 1180 Club Auxiliaries
- 1181 Educational Scholarship Program
- 1185 Incident Reports

1200 Financial Procedures
- 1201 Acceptance of Checks and Cash by Administrative Office
- 1205 Acceptance of Checks and Cash by Branches
- 1210 Check Requests
- 1215 Receipts and Invoices
- 1220 Vendors
- 1225 Acknowledgment for Contributions
- 1230 Donations In-Kind
- 1235 Designated Income
- 1240 Signature Requirements on Checks
- 1250 Petty Case Reimbursement
- 1255 Credit Cards

1300 Membership
- 1301 Membership
- 1302 Guests
- 1303 Membership Policies
- 1305 Attendance Sheets
- 1315 Permission Slips
- 1321 Youth of the Year
- 1335 Member Drug and Alcohol Abuse
- 1336 Gambling by Minors
- 1345 Summer Camp
- 1350 Activities and Programs
- 1355 Teaching Games
- 1360 Guidance
- 1365 Positioning
- 1370 Emergency Situation
- 1371 Van Safety Rules
- 1372 Van Emergency Situation
- 1375 Missing Children
- 1380 Suspected Child Abuse
- 1385 Communicable Disease Policy for Members
- 1386 Medication Administration
- 1390 Behavior Problems
- 1395 Discipline
- 1396 Time-Out Procedure

1400 Concessions

1500 Volunteers

1600 Acknowledgment of Receipt

312

APPLICATION FOR FREE AND REDUCED-PRICE MEALS

SCHOOL NAME

____

To apply for free or reduced-price meals for your child(ren), carefully COMPLETE, SIGN and RETURN this form to school. If you need help with this form, please call ______________________________.

PART 1 Complete this part for children ATTENDING this School/District but are NOT included in a Food Stamp, AFDC or FDPIR Case. (Go to Part 3)

	Child's Name	Name of School	Grade	Teacher
1.				
2.				
3.				
4.				

PART 2 Complete this part for children attending this School/District now getting *Food Stamp, AFDC* or *FDPIR* benefits. (Go to Part 5)

Food Stamp Case No: ____________ AFDC Case No: ____________ FDPIR Case No: ____________

	Child's Name	Name of School	Grade	Teacher
1.				
2.				
3.				
4.				

PART 3 If you listed any children in Part 1, you MUST complete this part AND Part 5. If you listed children only in Part 2, skip this part and go to Part 5.

HOUSEHOLD MEMBERS: List the names of everyone living in your household. INCLUDE YOURSELF, OTHER ADULTS AND CHILDREN. DO NOT INCLUDE CHILDREN LISTED IN PART 1, UNLESS THEY RECEIVE A REGULAR INCOME.

MONTHLY INCOME: Write the amount of monthly income and its source each person now gets on the same line as their name. List GROSS income BEFORE deductions for taxes, social security, etc.

	NAME	Monthly Earnings from Work (Before Deductions)	Monthly Welfare Payments, Child Support, AFDC & Alimony	Monthly Income from Pensions, Retirement and Social Security	Monthly Income from All Other Income
1.					
2.					
3.					
4.					
5.					

PART 4 FOSTER CHILD: Complete a separate application for each foster child. Write child's personal use income and how often it is received. (Go to Part 5)

Child's Name ______________________ Grade ____________ Monthly Income ____________

PART 5

Print Name ______________________

Address ______________________

____

Home Telephone Number ______________________

Work Telephone Number ______________________

I hereby certify that all of the above information is true and correct. I understand that this information is being given in connection with the receipt of Federal funds; that the institution officials may verify this information ; and that deliberate misrepresentation may subject me to prosecution under applicable State and Federal criminal statutes.

Signature and Social Security Number or the word *NONE* of Adult Household member who signs this form:

______________________ ______________________ ______________________

Signature Social Security Date

(Over)

Office Use Only

ELIGIBILITY

Total Household Size: ______________________

Total Monthly Income $ ______________________

Food Stamp/AFDC/FDPIR ______________________

ELIGIBILITY DETERMINATION

( ) Approved Free ( ) Approved Reduced

( ) Denied (Reason) ______________________

( ) Temporary Approval Until ______________________

Date Approved ____________ Date Notice Sent ____________

Signature of Determining Official ______________________

gab124.hms, 1/95 (5161)

BEST COPY AVAILABLE

Section 9 of the National School Lunch Act requires that, unless your children's Food Stamp, AFDC or FDPIR case number is provided, you must include the social security number of the adult household member signing the application, or an indication that the household member does not have a social security number. Provision of a social security number is not mandatory, but if a social security number is not provided or an indication is not made that the adult household member signing the application does not have one, the application cannot be appro[illegible]. This notice must be brought to the attention of the household member whose social security number is disclosed. The social security number may be used to identify the household member in carrying out efforts to verify the correctness of information stated on the application. These verification efforts may be carried out through program reviews, audits, and investigations and may include contacting employers to determine income, contacting a food stamp or welfare office to determine current certification for receipt of Food Stamps, AFDC or FDPIR benefits, contacting the State employment security office to determine the amount of benefits received and checking the documentation produced by the household member to prove the amount of income received. These efforts may result in a loss or reduction of benefits, administrative claims, or legal actions if incorrect information is reported.

PART 6

RACE: Please check the race or ethnic identity of your child. You are not required to answer this question. We need this information to be sure that everyone receives benefits on a fair basis.

- ☐ White, Not of Hispanic Origin
- ☐ Black, Not of Hispanic Origin
- ☐ Hispanic
- ☐ Asian or Pacific Islander
- ☐ American Indian or Alaskan Native

No child will be discriminated against because of race, sex, color, national origin, age or handicap.

FOR SCHOOL USE ONLY

VERIFICATION

Date Selected for Verification ________________

Response Due from Household ________________

Second Notice Sent ________________

Date Response Received ________________

Sample Selection: ☐ Random ☐ Focused ☐ 100% ☐ Other

Verification Results:

- ☐ No Change
- ☐ Ineligible
- ☐ Free to Reduced
- ☐ Reduced to Free

Reason for Change:

- ☐ Income
- ☐ Household Size
- ☐ Refused to Cooperate
- ☐ Other ________________

- ☐ Food Stamp/AFDC/FDPIR Eligibility:
- ☐ Not Confirmed
- ☐ Food Stamp/AFDC/FDPIR Office
- ☐ Notice of Eligibility
- ☐ Agency Records

- ☐ Income $__________
- ☐ Monthly
- ☐ Wage Stubs
- ☐ Written Documents
- ☐ Collateral Contact
- ☐ Other ________________

Date Adverse Notice Sent ________________

Date of Change ________________

Signature of Verifying Official ________________

Date ________________

MONTHLY INCOME CONVERSION: WEEKLY X 4.33; EVERY TWO WEEKS X 2.15; TWICE A MONTH X 2

Notification Letter for School Meals

Dear Parent/Guardian,

This letter is a notification of the determination made on your recent application for free or reduced-price meals for your child(ren). Your application has been:

Approved	**Denied**
( ) Approved for free meals	( ) Income over the allowable amount
( ) Approved for reduced-price meals at ______cents for lunch and _______ for breakfast	( ) Incomplete application. The following is missing: ______________________________ ______________________________
	( ) Other: ____________________

If you do not agree with the decision you may discuss it with the school official. You also have the right to a fair hearing. This can be done by contacting the following official:

____________________	______________________________	______________
Name	Address	Phone

If your child is approved for meal benefits, you must tell the school when your household income increases by more than $50 per month or $600 per year or when household size decreases. If your child is approved for meal benefits based on eligibility for food stamps, AFDC or Food Distribution Program on Indian Reservations (FDPIR), you must tell the school when you no longer receive this benefit for your child.

You may reapply for benefits at any time during the school year. If you are not eligible now but have a decrease in household income, become unemployed, or have an increase in household size, you may fill out another application at that time.

This notification may qualify your child for other benefits such as educational scholarships, fee waivers and specific educational programs. Take this letter to the district office for more information on these benefits.

In the operation of Child Nutrition Programs, no child will be discriminated against because of race, sex, color, national origin, age, or handicap. If you believe you have been discriminated against, write to the Secretary of Agriculture, Washington, DC 20250.

Sincerely,

______________________________	______________________________	______________
Name	Title	Date

g:\wparea\wp-nsl\nletter.doc

(For School Determining Official's Use Only)

USDA CHILD NUTRITION PROGRAM INCOME GUIDELINES

July 1, 1995 - June 30, 1996

FREE

Family Size:	*Year	**Month	**Week
1	$9,711	$810	$187
2	13,039	1,087	251
3	16,367	1,364	315
4	19,695	1,642	379
5	23,023	1,919	443
6	26,351	2,196	507
7	29,679	2,474	571
8	33,007	2,751	635
Each Additional Member Add:	+3,328	+278	+64

REDUCED

Family Size:	*Year	**Month	**Week
1	$13,820	$1,152	$266
2	18,556	1,547	357
3	23,292	1,941	448
4	28,028	2,336	539
5	32,764	2,731	631
6	37,500	3,125	722
7	42,236	3,520	813
8	46,972	3,915	904
Each Additional Member Add:	+4,736	+395	+92

Note:

Monthly Income = Weekly Income x 4.33
Monthly Income = Biweekly Income (every two weeks) x 2.15
Monthly Income = Semimonthly Income (twice a month) x 2

* Annualize only for those not having a regular monthly income
** Monthly Income = Annual Income + 12 (and rounding up)
** Weekly Income = Annual Income + 52 (and rounding up)

SECTION 9:

IMPORTANT CONTACTS

SECTION 9:

IMPORTANT CONTACTS

There are a number of important contacts which need to be established as the application is developed and during the start-up period of a Charter School. It is critical to make early contact with city and state planning and zoning services as soon as potential facilities are located. The examples provided in this section are from the City of Phoenix; however, a Charter School located in any city in Arizona should also make these contacts.

A brochure of the City of Phoenix Development Center and an Overview of Development Requirements are provided in this section. A letter from the Zoning Administrator of the City of Phoenix Planning Department provides answers to questions regarding how the city of Phoenix will regulate Charter Schools. It has been determined Charter Schools must follow the Zoning Ordinance provisions for public schools and follow the design/site plan review process required of private educational institutions. Information on variances and construction permits are also included in this section.

The City Of Phoenix Development Center acknowledges that this can be a very confusing and time-consuming process and encourages Charter School applicants to make every effort to involve their office during every phase of facility location and acquisition.

The Office of the State Fire Marshal has provided requirements for Charter Schools which are included in this section. Buildings used for Charter Schools must conform to minimum standards prior to occupancy by students. Review and approval of construction documents for Charter School facilities must be conducted for new and renovated facilities. Conforming with these requirements can be an expensive endeavor and is an important consideration before acquiring a school facility.

The School Finance Unit, Arizona Department of Education, is an important contact for information regarding school enrollment, school calendar and transportation report as well as budget and apportionment. Names of finance unit personnel and information they need and can provide are included in this section. Budget workshops are provided by the Charter Schools Office in cooperation with the School Finance Unit soon after charters have been approved.

Your school will be participating in the administration of the state-mandated norm-referenced achievement testing program in the fall. A letter providing the name of the person to contact in the Research and Evaluation Unit is provided. It is important that the coordination between your school and this office be very close to ensure a smooth operation. The letter provides information about grade levels, testing dates, and workshop dates you will want to include in the charter school calendar.

See **page 9-29** of this section on how to contact Brenda Henderson, Director, Student Achievement and Assessment Unit, for information regarding the Arizona Student Achievement Program. Also reference **Section 3: Application Procedures and Materials, Arizona Student Achievement Program: A Plan for Academic Excellence and Lifelong Development.**

Development of the School Report Card standardized format is currently underway in the Research and Evaluation Unit of the Arizona Deparment of Education. Data required from Charter Schools are the elements required in A.R.S. § 15-746. School report cards. See **Section 6: Supplemental Legislation and Regulations** for reference. Each charter school is responsible for the collection and submission of its report card data to the Research and Evalution Unit of the Arizona Department of Education. See **page 9-30** of this section for information on how to contact Jonathan White, Education Research Associate, Research and Evaluation Unit. Each school is also responsible for distribution of report cards to parents of enrolled students and presentation of the report card data at a public meeting held at each school.

Charter Schools are eligible to purchase supplies and equipment from the State Procurement Office. See **page 9-31** of this section for information on how to contact Karol Kelley, State Procurement Office, to be placed on their approved list. Also reference Section 11: **Resources to be Ordered from Arizona Department of Education, Central Distribution Services and Arizona Correctional Industries, How to Order and Pay for State Procurement Regulations.**

CITY OF PHOENIX DEVELOPMENT CENTER

The Development Center is another step at integrating and streamlining the development approval process within the City of Phoenix. It was created with the customer in mind. Services from three different City departments (Development Services, Fire, Planning) and the Business Customer Service Center are being consolidated into ONE central location. Located on the second floor of the new Phoenix City Hall, the Center will help to create more efficient and effective processes which will provide a higher level of service to customers.

9-3

We continue to strive to improve the quality of our services. We need your suggestions and encourage you to take the time to fill out customer comment cards- "How are we doing?" -which are located on the counters throughout the Development Center.

Inside is a map of the Development Center layout and a listing of the services provided.

CUSTOMER SERVICE NUMBERS

General Information	**262-7811**
Business Customer Service Center	**534-2000**
Commercial Bldg Plans Review	**262-7849**
Commercial Bldg Plans Status	**262-7855**
Residential Code Information	**262-7884**
Fire Plans Review	**256-3390**
Inspection Requests	**262-6981**
Project Engineering Services	**262-6551**
Sign Services	**495-0284**
Site Development Review Services	**262-7306**
Zoning/Planning Services Information	**262-7131**

Welcome

to the CITY OF PHOENIX DEVELOPMENT CENTER

Phoenix City Hall
200 W. Washington St.
Phoenix, Arizona 85003-1611
2nd floor
(602) 262-7811

INFORMATION

CASHIER

PLANS SUBMITTAL

Building Safety - Large Plans
Fire Plans

ZONING AND PLANNING SERVICES

Zoning Ordinance Amendments
General Inquiries - Undeveloped Land
Rezoning
Zoning Variances
Special Permits
Use Permits
General and Special Plan Inquiries
Temporary Uses/Promotional Events
Land Use Inquiries

BUILDING PERMIT SERVICES

RESIDENTIAL

- Over the Counter

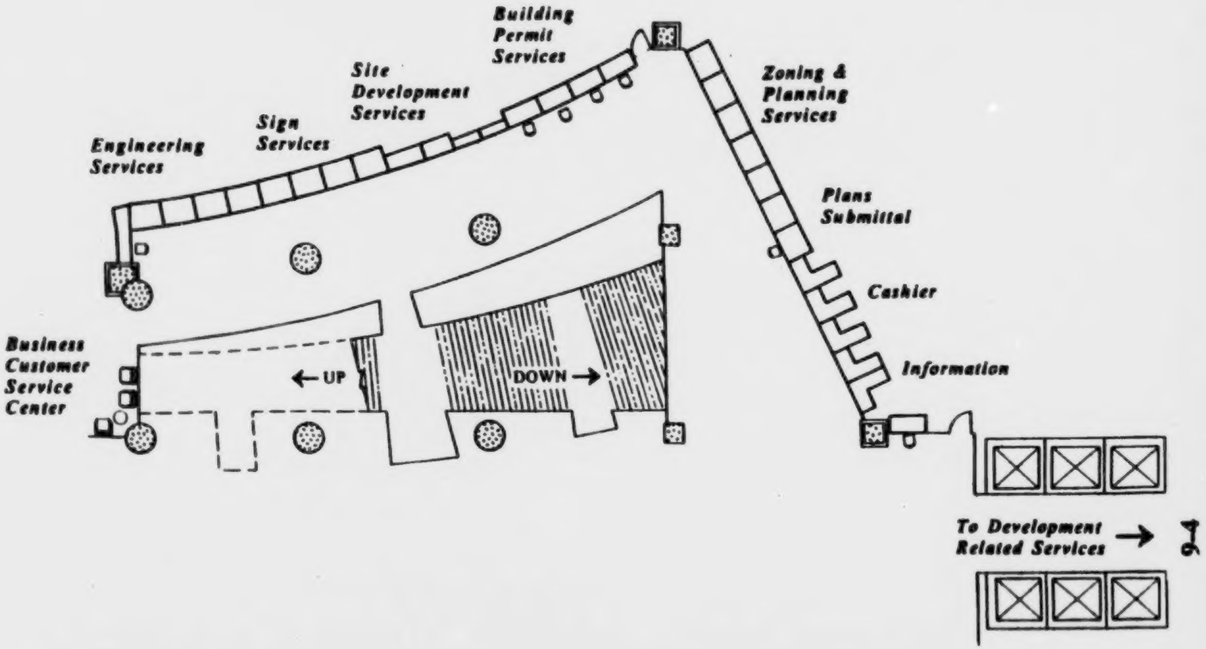
Room Addition
Accessory Building,
 (carport, garage, sheds, storage, etc)
Alterations
Remodels
Repair
Manufactured Homes
Moved Structures
Group Care Homes
Pools, Heaters, and Covers
Fences
Irrigation System
Reroofing
Covered Patio
Hot Water Tank

- Review for Log-in

Custom Homes
Standard Homes
Model Homes
Duplex
Major Additions

OTHER OVER-THE-COUNTER PERMITS

Small Commercial (Less than 3,000) sq ft
Minor Electric Service up to 400 AMP - Single Phase
Minor Plumbing Repair - Replace or Relocate
Minor HVAC Repair
Minor Gas Line Repair
Minor Elevator Repair
Construction Trailer
Demolition
Bus Shelter
Retaining Walls - 3 Feet or Less
Minor Fire Damage Repair
Change of Occupancy


Building Permit Services
Site Development Services
Sign Services
Engineering Services
Zoning & Planning Services
Plans Submittal
Cashier
Information
Business Customer Service Center
UP
DOWN
To Development Related Services

SITE DEVELOPMENT SERVICES

Site Plan Requirements
Development Review Process
Parking Requirements
General Engineering Inquiries
Visibility Triangles
Zoning Setback Requirements
Landscape Requirements

SIGN SERVICES

Permits
Inquiries
Replacement
Banners
Special Events
Comprehensive Sign Package
Outdoor Advertising

ENGINEERING SERVICES

Information, Plan Submittal,
 and Permits
Water and Sewer Information
Water Meter
Water and Sewer Taps
Sewer taps
Right-of-Way Permits
Paving
Grading and Drainage
Fire Hydrant Meters
Address
Street Names
Bonding Construction

BUSINESS CUSTOMER SERVICE CENTER

Assistance in Development Processing
Referrals for:
 Licensing
 Loans
 Miscellaneous Zoning
 Permits
 Other Outside Agencies
Resolving Development Issues/Problems

DEVELOPMENT RELATED SERVICES
(Not at the Development Center)

Subdivision Plats
Maps of Dedication
Abandonments
Lot Division

City of Phoenix
PLANNING DEPARTMENT

Winner of th
Carl Bertelsma
Prize for
BEST RUN CITY IN THE WORLD

February 7, 1995

Linda Fuller
Charter School Coordinator
Department of Education
1535 W. Jefferson
Phoenix, AZ 85007

Dear Ms. Fuller:

With the advent of charter schools in Arizona, questions have arisen regarding how the city of Phoenix will regulate this new use. The Phoenix Planning Department has discussed the issue and determined the schools must follow the Zoning Ordinance provisions for public schools and follow the design/site plan review process required of private educational institutions.

The Phoenix Zoning Ordinance addresses public and parochial schools and institutions of higher education other than business, trade and technical schools, in Section 608.C.5. That section requires that schools satisfy the following standards:

a. A lot of 20,000 square feet shall be required for the first 20 students. An additional 10,000 square feet shall be required for each additional 20 students.

b. The lot shall have at least 100 feet of frontage on a major street or, with use permit approval, on a collector street.

c. A use permit shall be required if periods of instruction extend beyond the hours of 7:00 a.m. to 4:00 p.m.

d. A site plan in conformance with Section 507 shall be required of any private educational institution, parochial school or private institution of higher education location in a residential district.

These standards apply in the Residential zoning districts (specified in Section 608) and the Commercial (C-1, C-2, and C-3) zoning districts in which schools are permitted. Schools are not permitted in the Residential Office, Commercial Office, Planned Shopping Center, Commerce Park, and P.A.D. Districts. The City of Phoenix recognizes that charter schools may propose nontraditional standards that were not recognized at the time that the existing standards were adopted, and therefore, would consider modification of those standards where appropriate through the Zoning Adjustment process.

As I indicated above, Phoenix will require charter schools to follow each of the four criteria in the Zoning Ordinance. If you have any questions about this, please do not hesitate to contact me.

Sincerely,

Mark Steele

Mark Steele
Zoning Administrator

MS:BA:
dfr/c:dr\95\word\dfr0207a

200 West Washington Street, Phoenix, Arizona 85003 602-262-7131 FAX: 602-495-3793

CITY OF PHOENIX
DEVELOPMENT SERVICES DEPARTMENT
200 West Washington - Second Floor

OVERVIEW OF DEVELOPMENT REQUIREMENTS

ITEMS REQUIRED
Site Plan Approval
G & D Clearance
Off-Site Improvements
Right of Way Permits
Water/Sewer Service Extensions
Parking Clearance
Driveway Approval
Design Review Items (Landscaping, Screening, Setbacks, etc.)
Parcelization (Lot Division, Subdivision, Abandonment, etc.)
Building Code (Plan Review, Inspections, C of O)
Sign Permits

JEW:mls:95021.wp5
6/8/95

BASIS FOR ZONING ADMINISTRATOR'S HEARING OFFICER ACTIONS ON VARIANCE AND USE PERMIT REQUESTS

VARIANCES

A variance is a request to allow a deviation from a development standard required by the Zoning Ordinance. The Arizona State Statutes and the Zoning Ordinance require that four conditions exist on the subject property for a variance to be approved. The Zoning Administrator's Hearing Officer must find that these four (4) conditions exist on the subject property to rule favorably on a variance request. It is the burden of the applicant to prove his or her case. The four conditions are as follows:

1. There are special circumstances or conditions applying to the land, building, or use of the subject property which do not apply to other similar properties in the same zoning district. *(Special circumstances or conditions would include, for example: an unusual lot size, shape, or topography. This condition is considered a property hardship and it must be a condition relating to the property that is so unique it cannot be replicated on any other similarly zoned land in the City.)*

2. The special circumstances or conditions described above were not created by the applicant, owner, or any previous owner of the property. The property hardship cannot be self-imposed.

3. The authorization of a variance is necessary in order for the owner or applicant to enjoy reasonable and substantial property rights. *(In other words, without the granting of a variance the property cannot be reasonably used. There is no cause for a variance if the property can be used, even if it is in a manner other than that desired by the owner or applicant.)*

4. The authorization of a variance will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare in general. *(A variance which will not be compatible with the surrounding development or will create an adverse impact on other properties cannot be approved.)*

ALL FOUR (4) CONDITIONS MUST BE SATISFIED BY THE SUBJECT PROPERTY FOR A VARIANCE TO BE GRANTED.

USE PERMITS

A use permit is a request to allow a use which is permitted by the Zoning Ordinance provided that the use will not cause an adverse impact on adjacent property or properties in the area. The Zoning Administrator's Hearing Officer must find two (2) conditions exist in order to rule favorably on a use permit request. The burden of proof is with the applicant and the granting of a use permit is at the Hearing Officer's discretion. The two conditions are as follows:

1. The use will not cause an adverse impact on adjacent property or properties in the area. Adverse impacts would include, for example: a significant increase in vehicular or pedestrian traffic in adjacent residential areas; emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding ambient conditions; contribution in a measurable way to the deterioration of the area or contribution to the lowering of property values.

2. The use will be in compliance with all provisions of the Zoning Ordinance and the laws of the City of Phoenix, Maricopa County (if applicable), the State of Arizona, and the United States of America.

A USE PERMIT IS SUBJECT TO REVOCATION IF AT ANY TIME DURING THE LIFE OF THE USE PERMIT THERE IS A VIOLATION OF THE STIPULATIONS OF APPROVAL, THE ZONING ORDINANCE, OR ANY OTHER STATUTES.

(over)

INFORMATION FOR ZONING ADJUSTMENT CASES

FILING REQUIREMENTS:

1. Two (2) copies of a sketch of the subject property (refer to Use Permit/Variance sketch handout).

2. Legal description and tax parcel number of the subject property.

   NOTE: The legal description can be obtained from your deed or from the Property Records Department, 4th floor, 200 W. Washington, 262-6878. The tax parcel number can be obtained from your tax statement or the County Assessor's Office at 506-3406

3. Application Fee: Variance or Use Permit request(s) for a commercial use - $715.00 each
   Variance or Use Permit request(s) for a residential use - $255.00 each
   A maximum of $715.00 will be charged per request on an individual property.
   Additional fees for each lot are required for multiple lot applications.

   NOTE: This is an application fee to cover the cost of processing the request. It is not refundable regardless of the outcome of the case.

ZONING ADJUSTMENT HEARINGS:

A public hearing will be held before the Zoning Administrator's Hearing Officer within 45 days of the filing date. Hearings are scheduled on Tuesdays or Thursdays. A post card will be sent 7 to 10 days prior to the hearing notifying you of the time your case will be heard. At least five (5) days prior to the hearing, City staff will post the subject property with a sign indicating the nature of the request and the hearing time and date. It is the applicant's responsibility to maintain the sign so that it is readable to persons in the area.

PUBLIC HEARING PROCEDURES:

At the hearing the Zoning Administrator's Hearing Officer will ask the applicant to present the case and evidence supporting the application. Presentations may include the use of photographs or accurate drawings. The presence of neighbors in support of the request may be beneficial. The applicant usually appears on his or her own behalf, but may be represented by an agent or attorney if desired. Following the applicant's presentation, the Hearing Officer will allow persons in interest to speak regarding the request. The applicant then may give additional comments or a rebuttal. In most cases, the Zoning Administrator's Hearing Officer will take action to either approve or deny the request at the public hearing.

Approval may include stipulations or conditions which must be met by the applicant. If the request is approved, the applicant has sixty (60) days from the hearing date to apply for a building permit or commence the use if no building permit is required. Failure to meet this condition will invalidate the approval action. ***If sixty (60) days is insufficient to meet this condition, the applicant may request a longer period at the hearing, which will be considered by the Hearing Officer.***

APPEALS TO THE BOARD OF ADJUSTMENT:

Any person may appeal a decision by the Zoning Administrator within 15 calendar days of the decision by filing an appeal at the Planning Department and paying a fee, equal to the original application fee. The case will then be scheduled for hearing by the Board of Adjustment.

The Board of Adjustment is composed of seven citizens who serve without pay and are appointed by the City Council for a term of four years. Their role is to hear cases appealed from, or referred to the Board by the Zoning Administrator's Hearing Officer. The Board meets on the first Thursday of each month in the City Council Chambers, 200 W. Jefferson. Decisions by the Board may be appealed to the City Council or to Superior Court.

APPEALS TO CITY COUNCIL:

Any person may appeal a decision by the Board of Adjustment within 15 calendar days of the decision by filing an appeal at the City Clerk's Office, 15th floor, 200 W. Washington, and paying a fee of $715.00. Appeals are scheduled for a formal public hearing by the City Council. Decisions by the City Council may be appealed to Superior Court.

If more information is needed, you may call 262-7131.

handout1/Revised 8/16/93

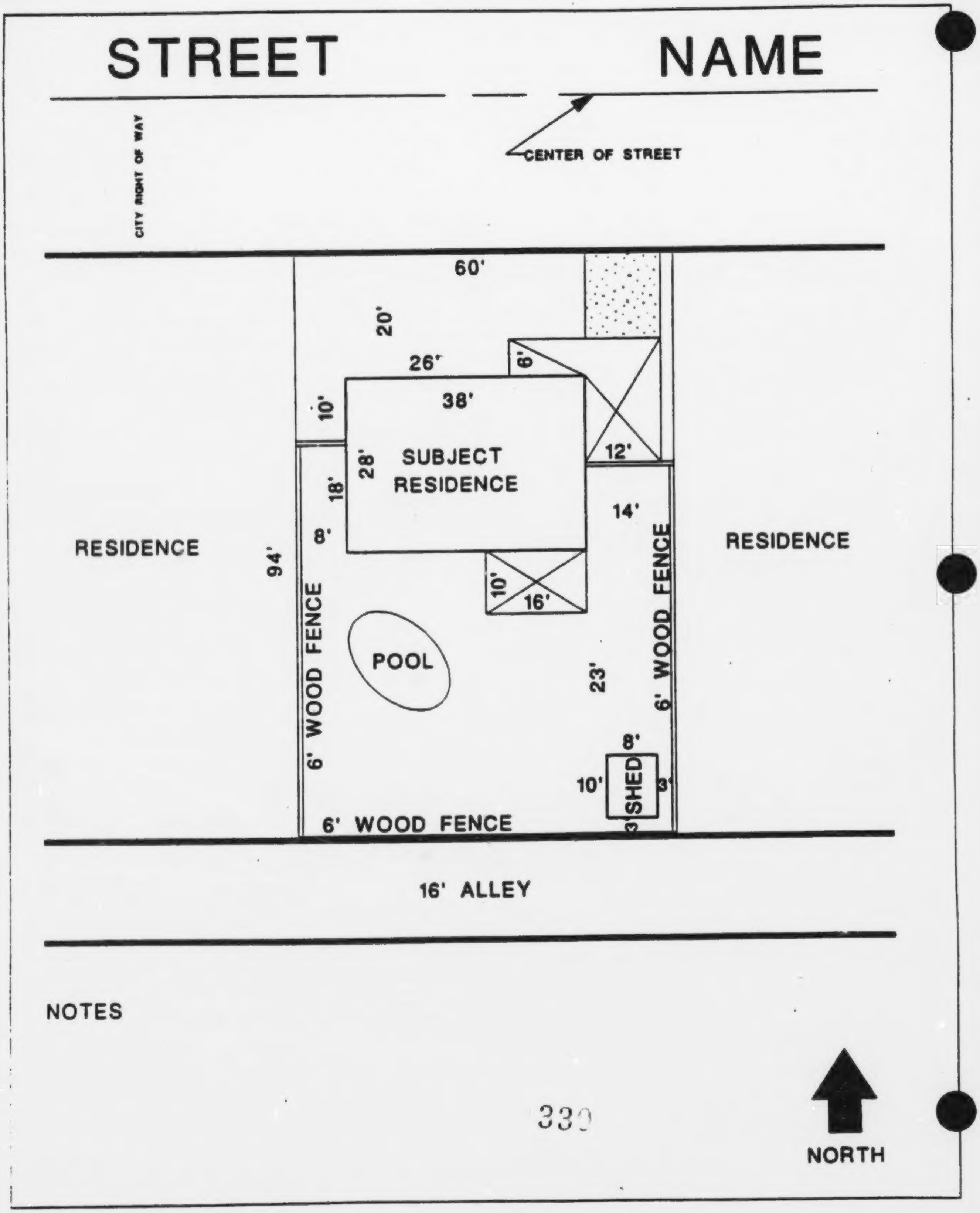
City of Phoenix
PLANNING DEPARTMENT

USE PERMIT/VARIANCE SKETCHES

THE SKETCH THAT YOU PROVIDE WITH YOUR VARIANCE/USE PERMIT APPLICATION IS USED BY THE PLANNING DEPARTMENT GRAPHICS SECTION TO DRAFT FINISHED MAPS FOR THE PUBLIC HEARING (SEE SAMPLE). IN ORDER FOR THE FINISHED MAP TO BE ACCURATE, THE SKETCH THAT YOU PROVIDE SHOULD BE AS ACCURATE AS POSSIBLE. AN INACCURATE SKETCH COULD IMPACT THE ZONING ADMINISTRATOR'S DECISION. WHILE YOUR SKETCH DOES NOT HAVE TO BE AS FINISHED AS THE SAMPLE PROVIDED, IT MUST BE LEGIBLE, AT LEAST 8 1/2" X 11" AND INCLUDE:

1. A NORTH ARROW.
2. STREET NAMES.
3. DIMENSIONS OF LOT.
4. DIMENSIONS BETWEEN ALL STRUCTURES AND PROPERTY LINES AND /OR FENCES.
5. DIMENSIONS BETWEEN ALL STRUCTURES ON LOT.
6. LOCATION AND DIMENSIONS OF PROPOSED ADDITION. (THE ADDITION SHOULD CLEARLY BE LABELED "PROPOSED OR EXISTING".)
7. LOCATION OF PROPOSED ADDITION (FOR EXAMPLE, ROOM, MICROWAVE AND/OR SATELLITE ANTENNA, FENCE, POOL, ETC).
8. TYPE OF FENCE (FOR EXAMPLE, CHAIN LINK, WOOD, BLOCK).
9. PROPOSED LANDSCAPING (FOR MULTI-FAMILY, COMMERCIAL OR INDUSTRIAL PROJECTS).
10. STATUS OF PROJECT (PROPOSED OR EXISTING).
11. CITY STAFF WILL BE POSTING THE SITE AND VERIFYING MEASUREMENTS AT LEAST FIVE DAYS PRIOR TO THE HEARING. FOR FIELD CREW PROTECTION, PLEASE INDICATE ON YOUR SKETCH IF A DOG OR DOGS ARE KEPT ON THE LOT

(OVER)


STREET NAME
CITY RIGHT OF WAY
CENTER OF STREET
60'
20'
26'
6'
38'
10'
12'
SUBJECT RESIDENCE
28'
18'
14'
8'
RESIDENCE
RESIDENCE
94'
10'
16'
6' WOOD FENCE
6' WOOD FENCE
POOL
23'
8'
10'
SHED
3'
3'
6' WOOD FENCE
16' ALLEY
NOTES
NORTH

City of Phoenix
PLANNING DEPARTMENT

Winner of
Carl Bertelsr
Prize fo

May 15, 1995

Mr. Tom Reid, CEO
Valley Academies, Inc.
P. O. Box 11294
Glendale, AZ 85318

Re: Charter Schools

Dear Mr. Reid:

This letter is in response to your request of May 15, 1995, regarding a zoning clarification for charter schools. In our letter of February 7, 1995, to Linda Fuller, Charter School Coordinator, we noted that charter schools would be required to follow the standards specified in residential districts for public, private, and parochial schools. Four standards are listed including site plan approval that would apply to all residential zoning districts (specified in Section 608 of the Zoning Ordinance) as well as the commercial C-1 district.

Private schools are listed as a permitted use in the C-2 district; therefore, the standards provided in the residential districts (Section 608) do not apply. The one exception is that the development review process as specified in Section 507 shall apply. The extent to which site plan approval is required is a matter of review by the Development Services Department depending on the specifics of the particular site. You may wish to contact Denee McKinley, Development Center Coordinator, 495-0150, for further information on this process.

Certain zoning districts within the Zoning Ordinance are cumulative in nature as it applies to use lists. Therefore, since a private school and by determination charter schools are permitted uses in the C-2 district (as noted above) they are also permitted by right in the C-3, A-1, and A-2 zoning districts.

If I may be of further assistance in this matter, please give me a call at 262-7131.

Sincerely,

Mark Steele

Mark Steele, AICP
Zoning Administrator

c: Denee McKinley, Development Services Department

MS\rf\f:\home\lan\interps\reid

200 West Washington Street, Phoenix, Ari)3 602-262-7131 FAX: 602-495-3793

DRAFT

City of Phoenix
DEVELOPMENT SERVICES DEPARTMENT

Winner of the
Carl Bertelsma
Prize for

PRIVATE SCHOOLS
Placement of Factory Built Buildings (F.B.B.)

A City of Phoenix Building Safety Construction Permit is required to move and place a F.B.B. on any site within the City. The applicant must also obtain an installation permit from the State of Arizona Department of Building and Fire Safety Manufactured Housing Division. Utility connections to existing factory built buildings, are subject to State inspection. Utility connections to existing or new sewer, water, gas, or electric services are subject to City inspection and must be explicitly shown on the plans approved for a City construction permit. Alterations to existing buildings or utilities not shown on plans are prohibited without a separate City permit. City inspection approval is required for building placement and location plus all site work, including grading, drainage, parking, landscaping, and handicapped access sidewalks and ramps.

Construction Permit Applicant Requirements:

1. Provide plot plan showing:
    a. All property lines
    b. All buildings
    c. Show location of F.B.B. with dimensions from other buildings and from property lines
    d. State occupancy, square footage, and type of construction of other buildings
    e. Show handicapped accessibility
    f. Show parking and handicapped spaces provided
2. Show source of electric (new service or existing)
    a. Provide panel schedule
3. Indicate source of water, if applicable and new water service existing or tap
4. Indicate sewer connection, if applicable
5. Parking approval required prior to Building Safety submittal, Counter 5 of the Development Center
6. Site planning approval required prior to Building Safety submittal, Counter 5 of the Development Center

FBB.lis/DM/crf
6/8/95

City of Phoenix
Development Services Department

Tenant Improvement/Remodel
PROCESS OVERVIEW

This form outlines GENERAL requirements for obtaining a Construction Permit. For further information, contact Development Services Department at 200 W. Washington, 2nd Floor--Development Center, Phoenix, AZ 85003-1611.

PLANS:
- ☐ **2 COPIES OF ALL PLANS ARE REQUIRED.** (1 copy of calcs and specs if applicable)
- ☐ **ARCHITECT'S OR ENGINEER'S SEAL ON PLANS, CALCS AND SPECS IS REQUIRED.**

PROJECT DESCRIPTION:
- ☐ Tenant Improvement (Never occupied)
- ☐ Remodel/Renovate
- ☐ Repair/Maintenance
- ☐ Square Footage
- ☐ Occupancy
- ☐ Type of Construction

PROJECT LOCATION:
- ☐ Street address

LEGAL DESCRIPTION OF PROPERTY:
- ☐ Lot number, block number, subdivision name

OR:
- ☐ Meets and bounds description

PROPERTY OWNER:
- ☐ Name
- ☐ Address if different

CONTACT PERSON:
- ☐ Name/phone #
- ☐ Address

ESTIMATED COST (valuation): $______________

CONTRACTOR INFORMATION:
- ☐ AZ Licensed General Contractor (name/address/phone #/contractor license #/city priv. tax #)

PRIOR TO BUILDING SAFETY SUBMITTAL:
Stop at Site Planning , Counter #5 (262-7306). Two sets of plans approved by the Site Planning Division are required to log plans into Building Safety for review. The following reviews may be required:
- ☐ Site plan review/ Zoning referrals:
  - ☐ Use permits
  - ☐. Variances
  - ☐ Impact areas
  - ☐ Other:______________________
- ☐ Parking/traffic review
- ☐ Grading and Drainage review
- ☐ Landscape review

SPECIAL APPROVALS MAY BE REQUIRED FOR:
- ☐ Historical districts/designated historic structures
- ☐ Construction within Governmental Mall, Transportation corridors, or other Designated Redevelopment Areas
- ☐ Fire Prevention
- ☐ Dedications
  - A. Legal frontage
  - B. Right-of-Way or Easement

RATED WALL DETAILS
- ☐ Source of listed assembly
- ☐ Listing numbers
- ☐ Area analysis (for change of occupancy and mixed occupancy)
- ☐ Sprinklers
- ☐ Fire Alarms

PLOT PLAN:
- ☐ Provide fully dimensioned plot plan to scale. Show street address, property dimensions, location of adjoining streets and alleys; drainage or utility easements, size, use and type of construction of buildings; and distance from property lines.
- ☐ Show parking dimensions, # of spaces and calculations
- ☐ Show actual and required zoning setback
- ☐ Indicate Zoning District and maximum allowable lot coverage

☐ **ACCESSIBILITY INFORMATION** - See UBC chapter 31.

FLOOR PLAN:
Must be to scale: ¼" = 1' recommended
- ☐ Room sizes and uses
- ☐ Door and window location
- ☐ Size of doors and windows & window type
- ☐ Floor framing plan, where required
- ☐ Electric, plumbing and mechanical layout
- ☐ Smoke detector locations

ELECTRICAL INFORMATION:
- ☐ Location of electrical service (electrical meter or S.E.S.)
- ☐ Existing size of service (100A/200A/etc.)
- ☐ New or upgraded size of service (100A/200A/etc.)
- ☐ Location of outlets, switches, electrical devise
- ☐ Licensed contractor design required if over 200A
- ☐ Check NEC with City amendments for Engineer Seal Requirements

PLUMBING INFORMATION:

- ☐ Plumbing Isometric Drawing showing all new (and connection to existing)
- ☐ Sewer tap location (for new sewer connections)
- ☐ If plumbing in basement, show:
  - ☐ Elevation of sewer tap
  - ☐ Elevation of basement floor
  - ☐ Elevation of top of nearest upstream manhole
- ☐ Water tap/meter location
  - ☐ Existing meter - state size
  - ☐ New meter required - state size
  - ☐ Additions: Show existing fixtures as well as new fixtures on water calc sheet

HVAC INFORMATION:

- ☐ Location, type and size of equipment (BTUH, AC tonnage)
- ☐ Duct size and material

WATER METER AND SEWER TAP MAY BE REQUIRED:

- ☐ Check with Project Engineering at Counter #6 (262-6551).

PROCESSING TIMES

- For Tenant Improvement and Remodel Plans under $250,000, target time for first review is 14 calendar days. Resubmitted corrected plans target time for review is 7 calendar days.
- For Tenant Improvement and Remodel Plans over $250,000 and less than $5 million, target time for first review is 30 calendar days. Resubmitted corrected plans target time for review is 15 calendar days.
- For Tenant Improvement and Remodel Plans over $5 million, target time for first review is 45 calendar days. Resubmitted corrected plans target time for review is 15 calendar days.
- For simple revisions with one trade only, first review target time is 7 calendar days. Resubmitted corrected plans target time for review is 7 calendar days.
- For mid-range revisions with multiple trades and less than $250,000, time for first review is 14 calendar days. Resubmitted corrected plans target time for review is 7 calendar days.
- For complex revisions with multiple trades, review time is 30 calendar days. Resubmitted corrected plans target time for review is 10 calendar days.

INSPECTIONS—The following areas will need to be inspected during construction:

- ☐ Zoning compliance
- ☐ Structural
- ☐ Plumbing/Mechanical
- ☐ Electrical

Call 262-6981 to schedule inspections. It is the customer's responsibility to call for all inspections. No portion of the construction work may be covered, concealed or put into use until approved by the inspector. A final inspection of the completed project is also needed.

Calls received before 2 p.m. Monday through Friday will be scheduled for inspection the next work day. Inspections are conducted between 7:30 a.m. and 3:30 p.m. Monday through Friday.

OFFICE OF THE STATE FIRE MARSHAL

FIFE SYMINGTON
GOVERNOR

N. ERIC BORG
ACTING DIRECTOR

1540 WEST VAN BUREN
PHOENIX, ARIZONA 85007
(602) 255-4964

DUANE PELL
FIRE MARSHAL

ARIZONA STATE FIRE MARSHAL REQUIREMENTS FOR CHARTER SCHOOLS

Arizona Revised Statutes Section 15-183 requires the Department of Education to publish a list of relevant rules; regulations and statutes to notify charter schools of their responsibilities under paragraph E of that section. Further, paragraph 1. Requires compliance with federal, state and local rules, regulations and statutes relating to health, safety, civil rights and insurance.

The State Fire Marshal is mandated to insure regularly scheduled inspections are conducted in schools throughout Arizona. Presently, Arizona Administrative Code (A.A.C.) R4-34-1101 requires schools to be built and maintained in accordance with the 1988 Uniform Fire Code, 1988 Uniform Building Code, 1988 Uniform Mechanical Code and National Fire Code Standards.

Review and approval of construction documents for charter school facilities must be conducted for new and renovated facilities. When public funds are expended to build, acquire, modify, alter or improve a structure, design must be done under the direction of an appropriate registrant per the Technical Board of Registration rules and statutes.

Buildings procured under ARS 15-189 are subject to the same requirements as any other buildings used for charter schools.

BUILDINGS USED FOR CHARTER SCHOOLS MUST CONFORM TO MINIMUM STANDARDS **PRIOR** TO OCCUPANCY BY STUDENTS.

SCHOOL ENROLLMENT, SCHOOL CALENDAR
AND
TRANSPORTATION REPORT

School enrollment, school calendar and transportation report information should be submitted to:

Tom Lowe
Education Program Specialist
School Finance Unit
Arizona Department of Education
1535 West Jefferson
Phoenix, AZ 85007
(602) 542-8244

Charter School statutes state that a school's state aid in the first year is calculated based on an estimated student count based on actual student enrollment. The following letter and forms are provided as examples of information that must be provided to establish files in the School Finance Unit computer system. These files ensure accountability and accuracy in calculating your apportionment.

Senate Bill 1361 made revisions to A.R.S. § 15-185. Charter schools; financing. Both of these documents need to be referenced to ensure understanding the school's responsibilities in accepting and using public moneys. See **Section 5: Legislation Establishing Charter Schools** of the Handbook for referencing this legislation.

May 3, 1995

Dear Charter School,

The School Finance Unit of the Department of Education needs current information regarding your Charter organization and schools. The information requested on the enclosed forms will be used to establish files within our computer systems. These files will contain the information you provide us regarding your school year, enrollments and transportation route miles and will be used to determine the funds your charter organization may be eligible to receive. Once the files are established, we will notify you of the County - Type - District - School numbers you will use when submitting information to our office.

The enclosed forms and a summary of the information needed for each, is as follows:

1. The form entitled CHARTER SCHOOL BUSINESS OFFICE AND SCHOOL INFORMATION will provide us with the correct mailing address, contact person, phone and fax numbers for your office and schools. If your mail is delivered to a P. O. Box, we also need the physical address of your office and schools.

In addition, there are sections for you to indicate your expected enrollment for the school year and an estimate of your ADM for the first 100 school days, estimated Limited English Proficient (LEP) enrollment, Special Education enrollment and Vocational Education enrollment. In the transportation section, indicate the number of route miles and eligible students you will transport to and from school.

2. The School Year Calendar allows us to ensure you have the required number of teaching days. Your holiday schedule and the date of your 40th and 100th teaching day will allow us to schedule our work load by knowing when you will submit all required reports.

3. The last form is an Attendance Accounting Materials order form. You may order forms to be used to record and report the enrollment and attendance for your students. There is no cost for these materials, so order what you will need. If you underestimate your needs, you may request additional materials later in the school year.

Please complete the enclosed forms and return them to me by May 22, 1995. My address is:

Arizona Department of Education
School Finance Unit
1535 West Jefferson
Phoenix Az 85007

If you have any questions, please call me.

Sincerely,

Tom Lowe
Education Program Specialist
School Finance Unit
(602) 542-8244

enclosures

CHARTER SCHOOL BUSINESS OFFICE AND SCHOOL INFORMATION

Charter Name: ______________________________

Office address: ______________________________

City: ______________ Zip Code: ____________

Phone Number: ______________ Fax Number: ______________

Chief Administrator: ______________________________

Business Manager: ______________________________

SCHOOL INFORMATION

School Name: ______________________________

Address: ______________________________

City: ______________ Zip Code: ____________

Phone Number: ______________ Fax Number: ______________

Principal: ______________________________

SCHOOL INFORMATION

School Name: ______________________________

Address: ______________________________

City: ______________ Zip Code: ____________

Phone Number: ______________ Fax Number: ______________

Principal: ______________________________

SCHOOL INFORMATION

School Name: ______________________________

Address: ______________________________

City: ______________ Zip Code: ____________

Phone Number: ______________ Fax Number: ______________

Principal: ______________________________

CHARTER ENROLLMENT AND TRANSPORTATION INFORMATION

TOTAL ENROLLMENT INFORMATION

Enter the number of students registered to attend at the start of school:

Kindergarten ______
1 through 3 ______
4 through 8 ______
Total ______

9 through 12 ______

Total All Grades ______

Estimated 100th day ADM*: ______

*ADM is Average Daily Membership. Over the years we have learned that ADM is between 12 and 18 per-cent less than enrollment. For a complete explanation of ADM, please refer to the Arizona Department of Education INSTRUCTIONS FOR REQUIRED REPORTS, page 2-10 through 2-12.

LIMITED ENGLISH PROFICIENT (LEP) ENROLLMENT

Estimated LEP* enrollment for all grades ______

*The estimated LEP count is an average of the students enrolled in Limitedd English Proficient authorized programs on October 1, December 15, and February 1. For a complete explanation of LEP enrollment, please refer to the Arizona Department of Education INSTRUCTIONS FOR REQUIRED REPORTS, page 12-1 and 12-2.

SPECIAL EDUCATION ENROLLMENT

Enter the number of special education students, by Category and type of service, Resource or Self Contained, received, who are registered to attend at the start of school:

Category*	Resource**	Self Contained**
Autism	______	______
Emotional Disability	______	______
Hearing Impairment	______	______
Multiple Disabilities	______	______
Multiple Disabilities with Severe Sensory Impairment	______	______
Mild Mental Retardation	______	______
Moderate Mental Retardation	______	______
Severe Mental Retardation	______	______
Other Health Impairment	______	______
Orthopedic Impairment	______	______
Specific Learning Disability	______	______
Speech/Language Impairment	______	______
Traumatic Brain Injury	______	______
Visual Impairment	______	______

* Category definitions are found in the Arizona Revised Statutes Title 15, §15-761. ** Service type definitions are found in the Arizona Department of Education INSTRUCTIONS FOR REQUIRED REPORTS, page 11-5. Service Types A and B are Resource, C, I, D and E are Self Contained.

VOCATIONAL EDUCATION ENROLLMENT

Total students enrolled in Vocational Education*: ________

* Please contact Ted Davis, Director of School to Work, to determine the number of students eligible to be included in this count. Mr. Davis can be reached at (602) 542-5349.

STUDENT TRANSPORTATION INFORMATION

Estimated number of route miles* eligible students will be transported to and from school to home each day: ________.

Estimated number of eligible students** transported: ____________

*Route miles do not include miles traveled for extracurricular activities. Please refer to Arizona Department of Education **INSTRUCTIONS FOR REQUIRED REPORTS** page 2-18.

Eligible students mean students transported to and from school and for elementary students, those who live more than one mile from the school. High school students must live more than one and one half miles from the school. Please refer to the Arizona Department of Education **INSTRUCTIONS FOR REQUIRED REPORTS, page 2-17 and 2-18.

Arizona
Department of Education

February 28, 1995

MEMORANDUM

TO: Superintendents, Head Teachers, Principals, Attendance Officials

From: Tricia McPheeters
School Finance

SUBJECT: 1995-96 School Calendar/Schedule

Please complete the attached calendar and return to our office by May 1, 1995. School year requirements have not changed. Remember, elementary grades are required to fulfill a minimum number of hours in the school year (A.R.S.15-901.A.2.a.i.-b.ii. as amended by Laws 1992, Ch.305, 14). But, if you have different schedules for the schools in your district, please complete one for each schedule.

In the "day, date" blocks of the calendar, mark an X to indicate school will not be in session and indicate at the bottom of the page why school will be closed. Be sure you have at least 175 days in session scheduled.

Please look over the sample calendar prior to filling in your districts calendar/schedule.

If you have any questions, please call our office at 542-8234 or 1-800-352-4558.

• 1535 West Jefferson, Phoenix, Arizona 85007 •
602-542-4361

SCHOOL CALENDAR FOR FISCAL YEAR 1995-96

DISTRICT NAME: ____________________

NAME OF SCHOOL: ____________________

CONTACT PERSON: ____________________

PHONE: ____________________

____-____-____
COUNTY-TYPE-DISTRICT

M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	FOR ADE USE ONLY
					JULY 3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	____
24	25	26	27	28	31	AUG 1	2	3	4	7	8	9	10	11	14	15	16	17	18	____
21	22	23	24	25	28	29	30	31	SEPT 1	4	5	6	7	8	11	12	13	14	15	____
18	19	20	21	22	25	26	27	28	29	OCT 2	3	4	5	6	9	10	11	12	13	____
16	17	18	19	20	23	24	25	26	27	30	31	NOV 1	2	3	6	7	8	9	10	____
13	14	15	16	17	20	21	22	THANKS 23	24	27	28	29	30	DEC 1	4	5	6	7	8	____
11	12	13	14	15	18	19	20	21	22	XMAS 25	26	27	28	29	JAN 1	2	3	4	5	____
8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	29	30	31	FEB 1	2	____
5	6	7	8	9	12	13	14	15	16	19	20	21	22	23	26	27	28	29	MAR 1	____
4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29	____
APR 1	2	3	4	5	8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	____
29	30	MAY 1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	____
27	28	29	30	31	JUN 3	4	5	6	7	10	11	12	13	14	17	18	19	20	21	____
24	25	26	27	28																____

TOTAL DAYS IN SESSION ____

RETURN TO ADE, SCHOOL FINANCE

DUE TO ADE BY MAY 1, 1995

First day of classes: ____________________ (circle above)
40th day in session: ____________________ (circle above)
100th day in session: ____________________ (circle above)
Last day of classes: ____________________ (circle above)
Total number of days in session (min 175 days): ____________________
Date of Graduations:
8th grade: ____________________ 12th grade: ____________________
Thanksgiving recess from: ____________________ to: ____________________
Christmas recess from: ____________________ to: ____________________
Spring recess from: ____________________ to: ____________________
Other days school is closed:

____________________ Month /Day __________ (X above)
____________________ Month /Day __________ (X above)
____________________ Month /Day __________ (X above)
____________________ Month /Day __________ (X above)
____________________ Month /Day __________ (X above)
____________________ Month /Day __________ (X above)
____________________ Month /Day __________ (X above)
____________________ Month /Day __________ (X above)

Instructional minutes per week:

PSH __________ minutes per week

Instructional hours scheduled within 175 school days:

KG __________
1st __________ 5th __________
2nd __________ 6th __________
3rd __________ 7th __________
4th __________ 8th __________

☐ Mark box and enter any comments on back.

SCHOOL CALENDAR FOR FISCAL YEAR 1995-96

SAMPLE

DISTRICT NAME: SAMPLE UNIFIED

NAME OF SCHOOL. SAMPLE SCHOOL.

CONTACT PERSON: TRICIA MCPHEETERS

PHONE: 542-8234

07 - 02 - 01
COUNTY-TYPE-DISTRICT

FOR ADE USE ONLY

M	T	W	T	F	M	T	W	T	F	M	T	W	T	F	M	T	W	T	F
▨	▨	▨	▨	▨	JULY ☒ 3	☒ 4	☒ 5	☒ 6	☒ 7	☒ 10	☒ 11	☒ 12	☒ 13	☒ 14	☒ 17	☒ 18	☒ 19	☒ 20	☒ 21
☒ 24	☒ 25	☒ 26	☒ 27	☒ 28	☒ 31	AUG ☒ 1	☒ 2	☒ 3	☒ 4	☒ 7	☒ 8	☒ 9	☒ 10	☒ 11	☒ 14	☒ 15	☒ 16	☒ 17	☒ 18
☒ 21	☒ 22	☒ 23	☒ 24	☒ 25	[✓ 28]	29	30	31	SEPT 1	☒ 4	5	6	7	8	11	12	13	14	15
18	19	20	21	22	25	26	27	28	29	OCT 2	3	4	5	6	☒ 9	10	11	12	13
16	17	18	19	20	23	[✓ 24]	☒ 25	26	27	30	31	NOV 1	2	3	6	7	8	9	☒ 10
13	14	15	16	17	20	21	22	☒ 23	☒ 24	27	28	29	30	DEC 1	4	5	6	7	8
11	12	13	14	15	18	19	20	21	22	☒ 25	☒ 26	☒ 27	☒ 28	☒ 29	JAN ☒ 1	☒ 2	☒ 3	☒ 4	☒ 5
8	9	10	11	12	15	16	17	18	19	22	23	24	25	26	29	30	☒ 31	FEB 1	2
5	[✓ 6]	7	8	9	12	13	14	15	16	☒ 19	20	21	22	23	26	27	28	29	MAR 1
4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29
APR ☒ 1	☒ 2	☒ 3	☒ 4	☒ 5	8	9	10	11	12	☒ 15	16	17	18	19	22	23	24	25	26
29	30	MAY 1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24
☒ 27	28	29	30	31	JUN 3	4	[✓ 5]	6	7	10	11	12	13	14	17	18	19	20	21
24	25	26	27	28	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨	▨

RETURN TO ADE, SCHOOL FINANCE

TOTAL DAYS IN SESSION

DUE TO ADE BY MAY 1, 1995

First day of classes: AUG. 28. 1995 (circle above)
40th day in session: OCT. 24. 1995 (circle above)
100th day in session: FEB. 6. 1996 (circle above)
Last day of classes: JUNE 5. 1996 (circle above)
Total number of days in session (min 175 days): 178
Date of Graduations:
8th grade: JUNE 5, 1996 12th grade: JUNE 5, 1996
Thanksgiving recess from: NOV.23. 1995 to: NOV. 24. 1995
Christmas recess from: DEC. 25. 1995 to: JAN. 5. 1996
Spring recess from: APR. 1, 1996 to: APR. 5. 1996
Other days school is closed:

LABOR DAY	Month /Day	9/4	(X above)
COLUMBUS DAY	Month /Day	10/9	(X above)
TEACHER IN-SERV.	Month /Day	10/25	(X above)
VETERANS DAY	Month /Day	11/10	(X above)
TEACHER IN-SERV.	Month /Day	1/31	(X above)
PRESIDENTS DAY	Month /Day	2/19	(X above)
TEACHER IN-SERV.	Month /Day	5/15	(X above)
MEMORIAL DAY	Month /Day	5/27	(X above)

Instructional minutes per week:

PSH N/A minutes per week

Instructional hours scheduled within 175 school days:

KG	352		
1st	716	5th	910
2nd	716	6th	910
3rd	716	7th	1046
4th	716	8th	1046

☐ Mark box and enter any comments on back.

344

MEMORANDUM

TO: Superintendents, Head Teachers, Business Managers and Attendance Officials

FROM: Tricia McPheeters
School Finance

SUBJECT: **ADM ATTENDANCE ACCOUNTING MATERIALS AND REPORTING FORM**
(Membership/Absence Report - BUBBLE SHEETS)

Please check your supply of the attendance materials listed below and determine your needs for the next school year, be sure and check to make sure the bubble sheets you have are brown and with a revision date of 6/91. When ordering ADM bubble sheets, order enough to cover both reporting periods.

Complete the bottom portion of this memorandum, make a copy for your records, indicating the number of Register Books and or forms you will need to meet your 1995-96 ADM reporting needs and return no later than May 1, 1995.

Mail to:

Arizona Department of Education
School Finance Unit
1535 West Jefferson
Phoenix, AZ 85007

If you have any questions, please call me or Maggie Taylor at 542-3652 or 1-800-352-4558.

«CTD»

«SCHNAME»

«PHONE»

______________ School District

C_____T_____D____

______________ Contact Person

Quantity Needed:

_______ Arizona Public School Register Books (ADE 41-006)
_______ High School Attendance Cards (ADE 40-111)
_______ High School Monthly Attendance Cards 9ADE 40-112)
_______ Membership/Absence Report (ADE 41-006B) Bubble Sheets

These will be mailed to your COUNTY office during July/August.

345

BUDGET AND APPORTIONMENT

Budget and apportionment information should be submitted to:

Stephen Canter
Education Program Specialist
School Finance Unit
Arizona Department of Education
1535 West Jefferson
Phoenix, AZ 85007
(602) 542-8248

Budget forms, budget worksheets and instructions for Charter Schools have been prepared by School Finance personnel and staffs of the Auditor General and Attorney General. See **Section 3: Application Procedures and Materials, Charter School Budget Revenue Projection Worksheets** for reference.

To accomplish the intent of the USFR requirement that requires publication of the budget, which is to allow the public the opportunity to review and comment on a school's proposed budget, the following process must be implemented by a Charter School:

- Each charter school must prepare a proposed budget no later than July 5 of the current fiscal year, and must keep it on file at the school and make it available upon request.
- Each school must furnish the Superintendent of Public Instruction with a copy of the proposed budget.
- A notice of the public hearing and governing body meeting to adopt a budget must be published.
- The publication date must be no later than 10 days prior to the meeting; verification of the notice must be submitted with the adopted budget.
- The school must adopt a budget no later than July 15.

Senate Bill 1362 made revisions to A.R.S. § 15-185. Charter schools; financing. Both of these documents need to be referenced to ensure understanding the school's responsibilities in accepting and using public moneys. See **Section 5: Legislation Establishing Charter Schools** of the Handbook for referencing this legislation.

USFR EXEMPTION: The State Board of Education and the State Board for Charter Schools have granted an exemption from publishing the school's budget for those Charter Schools sponsored by them.

July 7, 1995

MEMORANDUM

To: Charter School Test Coordinators

From: Kenneth Braun, Administrative Assistant
Research and Evaluation

Subject: Norm-referenced Achievement Testing, Fall 1995

Having been approved or soon to be approved as a charter school, your school will be participating in the administration of the state mandated norm-referenced achievement testing program this fall. It's extremely important that the coordination between your school and our office be very close to ensure a smooth operation.

The State Board of Education has approved the following relative to the administration of the standardized norm-referenced tests this fall:

- The state-mandated grades for testing are 4,7 and 10. Selected subtests must be administered at the state-mandated grades. These subtests are Reading, Vocabulary, Language Usage and Expression and Mathematics Problem Solving at grades 4 and 7 and Reading and Mathematics at grade 10. Your school may elect to test any or all of the other subtests including Social Studies and Science at no cost to the school.
- Fall testing by your school at grades **other than the state-mandated grades** must be arranged by the school with The Riverside Publishing Company. All such testing will be at the expense of the school. Contact Karen Brown at 1-800-767-8420, extension 7076.

- The Iowa Tests of Basic Skills (ITBS) Form J will be administered at the elementary grade levels and the Tests of Achievement and Proficiency (TAP) Form J will be administered at the high school grade levels. These tests will be scored using the 1988 norms.
- The week that has been designated for the administration of the test is the week of October 16. In the event the school has a function scheduled that conflicts with the testing week, an alternate test week may be used. The alternate test weeks approved by the State Board are the week of October 23 and the week of October 30. Schools wishing to use one of the alternate weeks for testing **must submit a request with full justification in writing** to our office.

It's very important that you provide our office with necessary information regarding your school so we may provide the testing services you require. Enclosed is a Master File, a key instrument towards this end. We have already included some of the required information. Please review it, provide the information requested and make changes as necessary to reflect correct information. **It will be necessary for you to estimate enrollment** at the state mandated grade levels. You will have ample opportunity to update this information if necessary. At present, we have as your "test coordinator" that person to whom this memo was addressed. This should be the person with whom we coordinate our efforts. If the test coordinator name needs to be changed **now is the time to do so**. If the shipping address requested in section 2 is the same as the mailing address, simply leave section 2 blank. However, **it must be a street address**. Section 8 of the Master File should be left blank. We will automatically send you sufficient materials based on the enrollment figures you provide with a percentage overage. **Please complete the Master File and return it no later than June 30 to:**

Kenneth Braun
Arizona Department of Education
Research and Evaluation, Bin 6
1535 West Jefferson
Phoenix, Arizona 85007

For your information, four pretest workshops will be conducted this fall to familiarize test coordinators with the policies and procedures regarding test administration. A schedule and registration form will be sent to each school approximately September 1. These workshops are particularly helpful to new test coordinators and we urge you to attend one of these sessions. Attendance is not limited and the school may send as many representatives as deemed necessary.

The norm-referenced achievement testing program is part of the Research and Evaluation Unit. Our telephone number is 542-5387; our FAX number is 542-3077.

THE ARIZONA STUDENT ACHIEVEMENT PROGRAM

The Arizona Student Achievement Program Plan for 1995-1996 is being revised. The Arizona Student Achievement Office staff will provide up-dates on progress and finalization of the ASAP Plan to Charter Schools. For updated information and technical assistance contact:

Brenda Henderson, Director
Student Achievement and Assessment Unit
Arizona Department of Education
1535 West Jefferson
Phoenix, AZ 85007
(602) 542-3824

Also reference Section 3: **Application Procedures and Materials, Arizona Student Achievement Program: A Plan for Academic Excellence and Lifelong Development** and Section 11: **Resources to be ordered from Arizona Department of Education, Central Distribution Services and Arizona Correctional Industries, How to Order and Pay for Essential Skills and Other Arizona Student Achievement Program Publications and How to Order and Pay for ASAP Assessments: Grades 3, 8 and 12.**

SCHOOL REPORT CARDS

The Arizona Department of Education Research and Evaluation Unit is responsible for the collection and dissemination of School Report Cards. As required by law, the Arizona Department of Education is creating a standardized School Report Card format which will be distributed to Charter Schools. School Report Card data will be reviewed and edited in the order it is received by the Research and Evaluation Unit. A hard copy of your data will be sent to you for review. This will be your opportunity to correct or amend your school's data to ensure its accuracy. The Arizona Department of Education will print a specified number of each school's report card for distribution. The collection and dissemination of the School Report Cards will take place annually.

If your Charter School can access the Internet, the Arizona Department of Education is creating a World Wide Web Page for electronic collection of School Report Card data. However, if your school does not possess Internet capability as stated above, a hard-copy data collection form will be sent to you. Use of the WEB is encouraged, since it will facilitate accurate and timely data collection. The data collection form and the final report card will be accessible on the agency's Web Page.

For questions regarding access to the Arizona Department of Education Web Page contact:

Alex Belous, Manager
Technology Services Unit
Arizona Department of Education
1535 West Jefferson
Phoenix, AZ 85007
(602) 542-5080

For an anticipated time line of School Report Card development contact:

Jonathan B. White
Education Research Associate
Research and Evaluation Unit
Arizona Department of Education
1535 West Jefferson
Phoenix, AZ 85007
(602) 542-5031

Also reference Section 6: **Supplemental Legislation and Regulations, School Report Cards.**

PROCUREMENT

To be eligible to purchase supplies and equipment from the State Procurement Office, Charter Schools need to do the following:

- Call or write to Karol Kelley, State Procurement Office, 15 S. 15th Avenue, Suite 203, Phoenix, AZ 85007, Phone No. 542-5511, for the form the Charter School needs to fill out to be approved for a state cooperative purchase agreement. A copy of the Charter School's by-laws is required to show non-profit organization status.

- When the Charter School is approved by Margaret McConnell, Director of the State Procurement Office, the Charter School pays the required fee of is $160 for a microfiche packet which lists everything that is available for purchase from the state. The fee of $160 is for a full year or, if the Charter School joins in the middle of the year, the fee is prorated for the remainder of the year. Once the Charter School is on the approved list it is invoiced at the end of each fiscal year to continue with the agreement.

Charter Schools are considered a political subdivision of the State of Arizona by the State Procurement Office.

SECTION 10:

ADMINISTRATIVE HEARINGS

SECTION 10:

ADMINISTRATIVE HEARINGS

If the State Board of Education or the State Board for Charter Schools makes the decision to reject an application, a request by the applicant for rehearing may be filed. A request for rehearing is filed according to Arizona Administrative Code (A.A.C.) R7-5-101 (State Board of Education) or R7-2-608 (Arizona State Board for Charter Schools).

The Department of Education may, pursuant to the provision, file a response to any request for rehearing submitted to either Board. If the Department intends to file a response, however, it must be filed within ten days after service of the motion. The response would be filed with the office of either of the Boards, and a copy of the response would be mailed by the Department to the applicant.

If either of the Boards determines that grounds exist to revoke a charter, the rules defining Adjudications (R7-5-201-204) are set in motion. These rules are in response to Senate Bill 1361 which requires the sponsor of a Charter School to establish procedures to conduct administrative hearings. Final decisions of the State Board of Education and the State Board for Charter Schools are subject to judicial review.

DRAFT

STATE BOARD FOR CHARTER SCHOOLS
REHEARING PROCEDURE

ARTICLE 1. GENERAL PROVISIONS

R7-5-101

A. Unless otherwise provided in another rule for a specific type of hearing:

1. Any party aggrieved by a decision rendered by the Board may file with the Board, not later than 15 days after service of the decision, a written motion for a rehearing or review of the decision, specifying the particular grounds therefor.

2. A response may be filed within ten days after service of such motion by any other party or the Attorney General.

3. The Board may require the filing of written memoranda upon the issues raised in the motion and may provide for oral argument.

4. The Board may consolidate the hearing to consider the motion for rehearing with the requested rehearing.

B. A rehearing or review of the decision may be granted for any of the following causes materially affecting the moving party's rights:

1. Irregularity in the administrative proceedings before the Board or abuse of discretion, whereby the moving party was deprived of a fair hearing.

2. Misconduct of the Board or the prevailing party.

3. Accident or surprise which could not have been prevented by ordinary prudence.

4. Newly discovered material evidence which could not with reasonable diligence have been discovered and produced at the original hearing.

5. Excessive or insufficient penalty.

6. Error in the admission or rejection of evidence or other errors of law occurring in the administrative hearing.

7. That the decision is not justified by the evidence or is contrary to law.

C. The Board may affirm or modify the decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons set forth in subsection (B). An order granting a rehearing shall specify with particularity the ground or grounds on which the rehearing is granted and the rehearing shall cover only those matters so specified.

D. Not later that 15 days after a decision is rendered, the Board may on its own initiative order a rehearing or a review of its decision for any reason for which it might have granted a rehearing on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for a rehearing for a reason not stated in the motion. In either case, the order granting such a rehearing shall specify the grounds on which the order is based.

E. When a motion for rehearing is based upon affidavits, they shall be served with the motion. An opposing party may, within ten days after such service, serve opposing affidavits, which period may be extended for an additional period not exceeding 20 days by the Board for good cause shown, or by the parties by written stipulation. The Board may permit a reply affidavit by the moving party.

F. If in a particular decision the Board makes specific findings that the immediate effectiveness of such decision is necessary for the immediate preservation of the public peace, health and safety and that rehearing or review of the decision is impracticable, unnecessary or contrary to the public interest, the decision may be issued as a final decision without an opportunity for rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing, any application for judicial review of the decision shall be made within the time limits permitted for application for judicial review of the Board's final decision.

STATE BOARD OF EDUCATION
REHEARING PROCEDURE

ARTICLE 1. GENERAL PROVISIONS

R7-2-806

A. Unless otherwise provided in another rule for a specific type of hearing:

  1. Any party aggrieved by a decision rendered by the Board may file with the Board, not later than 15 days after service of the decision, a written motion for a rehearing or review of the decision, specifying the particular grounds therefor.

  2. A response may be filed within ten days after service of such motion by any other party or the Attorney General.

  3. The Board may require the filing of written memoranda upon the issues raised in the motion and may provide for oral argument.

  4. The Board may consolidate the hearing to consider the motion for rehearing with the requested rehearing.

B. A rehearing or review of the decision may be granted for any of the following causes materially affecting the moving party's rights:

  1. Irregularity in the administrative proceedings before the Board or abuse of discretion, whereby the moving party was deprived of a fair hearing.

  2. Misconduct of the Board or the prevailing party.

  3. Accident or surprise which could not have been prevented by ordinary prudence.

  4. Newly discovered material evidence which could not with reasonable diligence have been discovered and produced at the original hearing.

  5. Excessive or insufficient penalty.

  6. Error in the admission or rejection of evidence or other errors of law occurring in the administrative hearing.

C. The Board may affirm or modify the decision or grant a rehearing to all or any of the parties on all or part of the issues for any of the reasons set forth in subsection (B). An order granting a rehearing shall specify with particularity the ground or grounds on which the rehearing is granted and the rehearing shall cover only those matters so specified.

D. Not later that 15 days after a decision is rendered, the Board may on its own initiative order a rehearing or a review of its decision for any reason for which it might have granted a rehearing on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for a rehearing for a reason not stated in the motion. In either case, the order granting such a rehearing shall specify the grounds on which the order is based.

E. When a motion for rehearing is based upon affidavits, they shall be served with the motion. An opposing party may, within ten days after such service, serve opposing affidavits, which period may be extended for an additional period not exceeding 20 days by the Board for good cause shown, or by the parties by written stipulation. The Board may permit a reply affidavit by the moving party.

F. If in a particular decision the Board makes specific findings that the immediate effectiveness of such decision is necessary for the immediate preservation of the public peace, health and safety and that rehearing or review of the decision is impracticable, unnecessary or contrary to the public interest, the decision may be issued as a final decision without an opportunity for rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing, any application for judicial review of the decision shall be made within the time limits permitted for application for judicial review of the Board's final decision.

DRAFT

STATE BOARD FOR CHARTER SCHOOLS ADJUDICATIONS

R7-5-201

Definitions

In this Article, unless the context otherwise requires:

A. "Board" means the State Board for Charter Schools.

B. "School" means a Charter School sponsored by the State Board for Charter Schools.

C. "Department" means the Arizona Department of Education.

R7-5-202

Notices, Hearing, Records

A. Upon the Board's determination that grounds exist to revoke a Charter, the School and the Department shall be afforded an opportunity for hearing after reasonable notice. The notice shall be given at least 20 days prior to the date set for the hearing.

B. The notice shall include:

   1. A statement of the time, place and nature of the hearing.

   2. A statement of the legal authority and jurisdiction under which the hearing is to be held.

   3. A reference to the particular sections of the statutes and rules involved.

   4. A short and plain statement of the matters asserted. If a party is unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished.

C. Opportunity shall be afforded the School and the Department to respond and present evidence and argument on all issues involved. Informal disposition may be made by stipulation, agreed settlement, consent agreement or default.

D. The record in a proceeding pursuant to this Article shall include:

1. All pleadings, motions and interlocutory rulings.
2. Evidence received or considered.
3. A statement of matters officially noticed.
4. Objections and offers of proof and rulings thereon.
5. Proposed findings and exceptions.
6. Any decision, opinion or report by the officer presiding at the hearing.
7. All staff memoranda, other than privileged communications, or data submitted to the hearing officer or members of the Board in connection with their consideration of the case.

E. A hearing pursuant to this Article shall be recorded manually or by a recording device and shall be transcribed on request of any party, unless otherwise provided by law. The cost of such transcript shall be paid by the party making the request, unless otherwise provided by law or unless assessment of the cost is waived by the Board.

F. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

R7-5-203

Decisions and Orders

Any final decision or order adverse to a party pursuant to this Article shall be in writing or stated in the record. Any final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. Parties shall be notified either personally or by mail to their last known address of any decision or order. Upon request, a copy of the decision or order shall be delivered or mailed forthwith to each party and to the party's attorney of record.

R7-5-204

Hearings and Evidence

A. A hearing pursuant to this Article shall be conducted in an informal manner and without adherence to the rules of evidence required in judicial proceedings. Irrelevant, immaterial or unduly repetitious evidence shall be excluded. A party to such proceedings shall have the right to be represented by counsel, to submit evidence in open hearing and shall have the right of cross examination. Hearings may be held in any place determined by the Board.

B. Copies of documentary evidence may be received at the discretion of the presiding officer. Upon request, the parties shall be given an opportunity to compare the copy with the original.

C. Notice may be taken of judicially cognizable facts. In addition, notice may be taken of generally recognized technical or scientific facts within the specialized knowledge of the Board. Parties shall be notified, either before or during the hearing or by reference in preliminary reports or otherwise, of the material noticed including staff memoranda or data and they shall be afforded an opportunity to contest the material so noticed. The Board's experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.

SECTION 11:

RESOURCES TO BE ORDERED FROM ARIZONA DEPARTMENT OF EDUCATION, CENTRAL DISTRIBUTION SERVICES AND ARIZONA CORRECTIONAL INDUSTRIES

SECTION 11:

RESOURCES TO BE ORDERED FROM ARIZONA DEPARTMENT OF EDUCATION, CENTRAL DISTRIBUTION SERVICES AND ARIZONA CORRECTIONAL INDUSTRIES

The order forms in this section of the Handbook are provided for your convenience. If you have questions regarding any of these resources, call the contact person listed on the order form.

HOW TO ORDER AND PAY FOR FINANCIAL DOCUMENTS FOR CHARTER SCHOOLS

The *Unifrom System of Financial Records (USFR)* can be obtained at a cost of $18.03, to cover printing and $4.00 for postage/handling costs, from the Central Distribution Center of the Arizona Department of Education, 1535 West Jefferson, Phoenix, AZ 85007. Please contact Jill Stephens at (602) 542-3088 if you have questions.

Make your check payable to the Arizona Department of Education.

ORDER FORM FOR UNIFORM SYSTEM OF FINANCIAL RECORDS FOR CHARTER SCHOOLS

No. of copies _______

Enclosed is $_______ for printing costs and $_______ for postage/handling.

Please mail order to:

NAME: ______________________________

ADDRESS: ______________________________

CITY & STATE: ______________________________

ZIP CODE: ______________________________

PHONE: (   ) ______________________________

HOW TO ORDER AND PAY FOR
ARTICLE 10
SCHOOL DISTRICT PROCUREMENT RULES

School district procurement rules are included in the *Arizona Administrative Code* which is published by the Office of the Secretary of State. A copy can be obtained at a cost of $11.00/copy, which includes postage and handling, from:

Office of the Secretary of State
Attention: Publications
1700 West Washington, 1st Floor
Phoenix, Arizona 85007-2808
Publications Phone No.: (602) 542-4086

Please make your check or money order payable to the **Secretary of State.**

Note: Some procurement laws are applicable to school districts but are not included as a part of these Procurement Rules, especially if they are written as a part of a law which specifically applies to school districts. As an example, A.R.S. § 15-213 applies to school districts, but not all of it (A.R.S. § 15-213 (D)) is quoted in the Procurement Rules. A.R.S. § 41-2616, A & B both specifically apply to school districts so are not covered in the Procurement Rules.

If you have questions on these rules, refer to **Section 6: Supplemental Legislation and Regulations to A.R.S. §§ 15-181-189** or contact:

Jim Wilson
Administrative Services Officer
Strategic Planning and Budgeting Unit
Arizona Department of Education
1535 West Jefferson
Phoenix, Arizona 85007
(602) 542-8237

HOW TO ORDER
THE SCHOOL DISTRICT RECORDS MANAGEMENT MANUAL

DECEMBER 1990

The School District Records Management Manual can be ordered, free-of-charge, from:

Hal Holiday, Assistant Director
Records Management Division
Department of Library, Archives
and Public Records
1919 West Jefferson
Phoenix, AZ 85009

Arizona
Department of Education

June 12, 1995

MEMORANDUM

TO: Individuals Requesting Essential Skills

FROM: Arizona Student Achievement Program

SUBJECT: How to Order and Pay for Essential Skills and Other ASAP Publications

Thank you for requesting our ASAP publications. We must charge you our printing cost and postage/handling for the documents as listed below. Please make your check payable to the Arizona Department of Education and mail it with the enclosed order form to Central Distribution Services, Arizona Department of Education, 1535 West Jefferson, Phoenix, Arizona 85007.

ITEM	PRINTING COST	POSTAGE/HANDLING
Essential Skills		
Comprehensive Health Essential Skills	$ 4.57	$3.50
Dance Essential Skills	$ 3.12	$3.50
Drama Essential Skills	$ 3.70	$3.50
Foreign Language Essential Skills	$ 1.73	$3.50
Language Arts Essential Skills	$ 2.09	$3.50
Literature Essential Skills	$ 1.45	$3.50
Mathematics Essential Skills	$ 3.06	$3.50
Music Essential Skills	$ 1.90	$3.50
Science Essential Skills	$ 2.35	$3.50
Social Studies Essential Skills	$ 3.06	$3.50
Visual Arts Essential Skills	$ 2.60	$3.50
Other ASAP Publications		
Manual for Forms A, B, and C Reading Assessments	$16.65	$3.00
Scoring Form A Assessments: The Next Step Grades 3, 8 and 12 (blue) Grades 8 and 12 (salmon)	$ 3.06	$3.00

Postage/Handling (P/H) is $4.00 for one through eleven Essential Skills books. For twelve or more books, please call for a postage quote. Out-of-country orders must be paid in U.S. currency. Please contact Jill Stephens at (602) 542-3088 if you have any questions.

ORDER FORM FOR ASAP PUBLICATIONS

Please complete and mail to Central Distribution Services, Arizona Department of Education,
1535 West Jefferson, Phoenix, AZ 85007.

Make your check payable to the Arizona Department of Education.

Please send the following documents:

____	Comprehensive Health Essential Skills	$ 4.57
____	Dance Essential Skills	$ 3.12
____	Drama Essential Skills	$ 3.70
____	Foreign Language Essential Skills	$ 1.73
____	Language Arts Essential Skills	$ 2.09
____	Literature Essential Skills	$ 1.45
____	Mathematics Essential Skills	$ 3.06
____	Music Essential Skills	$ 1.90
____	Science Essential Skills	$ 2.35
____	Social Studies Essential Skills	$ 3.06
____	Visual Arts Essential Skills	$ 2.60
____	Manual for Forms A, B, and C Reading Assessments	$16.65
	Scoring Form A Assessments: The Next Step	$ 3.06
____	Grades 3, 8 and 12 (blue)	
____	Grades 8 and 12 (salmon)	

Enclosed is $__________ for printing costs and $________for postage/handling.

Please mail order to:

NAME: ______________________________

ADDRESS: ______________________________

CITY & STATE: ______________________________

ZIP CODE: ______________________________

PHONE: (   )______________________________

____A

____S

____A

____P

****

Arizona Department of Education
Arizona Student Achievement Program

****

ASAP ASSESSMENT ORDER FORM

Attached is an order form for Grades 3rd, 8th and 12th ASAP Assessments.

If additional copies are requested, please complete the order form and return it with a check made payable to:

Arizona Correctional Industries
ATTN: ASAP Order
1918 West Van Buren
Phoenix, Arizona 85009
Phone number: (602) 255-1464
FAX number : (602) 255-3108

Shown below is a listing of prices for ordering single copies and packages.
The cost for a single copy of each is:

Student Booklet	**$.33**
Teacher Direction	**$.13**
Scoring Guide	**$.07**

A complete package consists of:

(45) copies of the same assessments
(1) teacher directions
(1) scoring guide

Price for complete package: $ 14.00

7-1-94

ASAP

ASSESSMENT ORDER FORM

PURCHASE ORDER NO. ______________________

BILL TO:

____
____
____
____

SHIP TO:

____
____
____
____

ADDRESS ALL ORDERS TO:

ARIZONA CORRECTIONAL INDUSTRIES
ATTN: ASAP ORDER
1918 West Van Buren
Phoenix, Arizona 85009
Phone number: (602) 255-1464
FAX number: (602) 255-3108

SUBTOTAL ______________

Shipping charges will be assessed at time of packaging and mailing

SHIPPING ______________

TOTAL ______________

For any additional information relating to the assessments or the ordering of assessments, ple contact Muriel Rosmann, at the Arizona Department of Education, 1535 West Jefferson, Phoenix, 85007 - Phoenix Number (602) 542-3537. 7-1

ORDER FORM
3RD GRADE ASAP ASESSMENTS

A complete package consists of: 45 copies of the same assessment, one teacher's direction booklet, one scori guide. The price for the complete package is $ 14.00.

Assessments	Teachers' Direction		Scoring Guide		Student Booklet		Pks	Pks	Total Cost
Reading	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
3R-1A-Narrative									
3R-2A-Story									
3R-3A-Report									
3R-4A-Communication									
3R-5A-Poem									
3R-1B-Narrative									
3R-2B-Story									
3R-3B-Report									
3R-4B-Communication									
3R-5B-Poem									
3R-1C-Narrative									
3R-2C-Story									
3R-3C-Report									
3R-4C-Communication									
3R-5C-Poem									
Writing	Qty	Cost	Qty	Cost	Qty	Cost	Qty	Cost	
3W-1A-Narrative									
3W-2A-Story									
3W-3A-Report									
3W-4A-Communication									
3W-5A-Poem									
3W-1B-Narrative									
3W-2B-Story									
3W-3B-Report									
3W-4B-Communication									
3W-5B-Poem									
3W-1C-Narrative									
3W-2C-Story									
3W-3C-Report									
3W-4C-Communication									
3W-5C-Poem									

NOTE: MATH ASSESSMENTS LISTED ON BACK

BEST COPY AVAILABLE

ORDER FORM
3RD GRADE ASAP ASSESSMENTS

							PKG	PKG	
MATHEMATICS	QTY	COST	QTY	COST	QTY	COST	QTY	COST	TOTAL COST
3M-1A									
3M-2A									
3M-3A									
3M-4A									
3M-5A									
3M-6A									
3M-7A									
3M-8A									
3M-1B									
3M-2B									
3M-3B									
3M-4B									
3M-5B									
3M-6B									
3M-7B									
3M-8B									
3M-1C									
3M-2C									
3M-3C									
3M-4C									
3M-5C									
3M-6C									
3M-7C									
3M-8C									

7-1-94

ORDER FORM

8TH GRADE ASAP ASSESSMENTS

A complete package consists of: 45 copies of the same assessment, one teacher's direction booklet, one scoring guide. The price for the complete package is $ 14.00.

ASSESSMENTS	TEACHERS' DIRECTION		SCORING GUIDE		STUDENT BOOKLET		PKG	PKG	TOTAL COST
READING	QTY	COST	QTY	COST	QTY	COST	QTY	COST	
8R-1A-NARRATIVE									
8R-2A-STORY									
8R-3A-REPORT									
8R-4A-COMMUNICATION									
8R-5A-FORM									
8R-6A-SUMMARY									
8R-7A-ESSAY									
8R-1B-NARRATIVE									
8R-2B-STORY									
8R-3B-REPORT									
8R-4B-COMMUNICATION									
8R-5B-FORM									
8R-6B-SUMMARY									
8R-7B-ESSAY									
8R-1C-NARRATIVE									
8R-2C-STORY									
8R-3C-REPORT									
8R-4C-COMMUNICATION									
8R-5C-FORM									
8R-6C-SUMMARY									
8R-7C-ESSAY									
WRITING	QTY	COST	QTY	COST	QTY	COST	QTY	COST	
8W-1A-NARRATIVE									
8W-2A-STORY									
8W-3A-REPORT									
8W-4A-COMMUNICATION									
8W-5A-FORM									
8W-6A-SUMMARY									
8W-7A-EXPOSITORY PAPER									
8W-1B-NARRATIVE									
8W-2B-STORY									
8W-3B-REPORT									
8W-4B-COMMUNICATION									
8W-5B-FORM									
8W-6B-SUMMARY									
8W-7B-EXPOSITORY PAPER									
8W-1C-NARRATIVE									
8W-2C-STORY									
8W-3C-REPORT									
8W-4C-COMMUNICATION									
8W-5C-FORM									
8W-6C-SUMMARY									
8W-7C-EXPOSITORY PAPER									

NOTE; MATH ASSESSMENTS LISTED ON BACK

7-1-94

BEST COPY AVAILABLE

ORDER FORM
8TH GRADE ASAP ASSESSMENTS

							PKG	PKG	
MATHEMATICS	QTY	COST	QTY	COST	QTY	COST	QTY	COST	TOTAL COST
8M-1A									
8M-2A									
8M-3A									
8M-4A									
8M-5A									
8M-6A									
8M-7A									
8M-8A									
8M-9A									
8M-1B									
8M-2B									
8M-3B									
8M-4B									
8M-5B									
8M-6B									
8M-7B									
8M-8B									
8M-9B									
8M-1C									
8M-2C									
8M-3C									
8M-4C									
8M-5C									
8M-6C									
8M-7C									
8M-8C									
8M-9C									

7-1-94

ORDER FORM
8TH GRADE ASAP ASSESSMENTS

*A complete package consists of: 45 copies of the same assessment, one teacher's direction booklet, one scoring guide.
*The price for the complete package is $14.00

ASSESSMENTS	TEACHERS' DIRECTION		SCORING GUIDE		STUDENT BOOKLET		PKG	PKG	TOTAL COST
READING	QTY	COST	QTY	COST	QTY	COST	QTY	COST	
12R-1A-NARRATIVE									
12R-2A-STORY									
12R-3A-REPORT									
12R-4A-COMMUNICATION									
12R-5A-POEM									
12R-6A-SUMMARY									
12R-7A-ESSAY									
12R-8A-PERSUASION									
12R-9A-REVIEW/EVAL/CRITIQUE									
12R-1B-NARRATIVE									
12R-2B-FICTION									
12R-3B-REPORT									
12R-4B-COMMUNICATION									
12R-5B-POEM									
12R-6B-SUMMARY									
12R-7B-ESSAY									
12R-8B-PERSUASION									
12R-9B-REVIEW/EVAL/CRITIQUE									
12R-1C-NARRATIVE									
12R-2C-STORY									
12R-3C-REPORT									
12R-4C-COMMUNICATION									
12R-5C-POEM									
12R-6C-SUMMARY									
12R-7C-ESSAY									
12R-8C-PERSUASION									
12R-9C-REVIEW/EVAL/CRITIQUE									
WRITING	QTY	COST	QTY	COST	QTY	COST	QTY	COST	
12W-1A-NARRATIVE									
12W-2A-STORY									
12W-3A-REPORT									
12W-4A-COMMUNICATION									
12W-5A-POEM									
12W-6A-SUMMARY/PRECIS.									
12W-7A-ESSAY									
12W-8A-PERSUASIVE PAPER									
12W-9A-EVAL/CRITIQUE									
12W-1B-NARRATIVE									
12W-2B-STORY OR PLAY									
12W-3B-REPORT									
12W-4B-COMMUNICATION									
12W-5B-POEM									
12W-6B-SUMMARY/PRECIS									
12W-7B-ESSAY									
12W-8B-PERSUASIVE PAPER									
12W-9B-EVAL/CRITIQUE									
12W-1C-NARRATIVE									
12W-2C-STORY OR PLAY									
12W-3C-REPORT									
12W-4C-COMMUNICATION									
12W-5C-POEM									
12W-7C-ESSAY									
12W-8C-PERSUASIVE PAPER									
12W-9C-EVAL/CRITIQUE									

NOTE: MATH ASSESSMENTS LISTED ON BACK

7-1-94

BEST COPY AVAILABLE

ORDER FORM
12TH GRADE ASAP ASSESSMENTS

							PKG	PKG	
MATHEMATICS	QTY	COST	QTY	COST	QTY	COST	QTY	COST	TOTAL COST
12M-1A									
12M-2A									
12M-3A									
12M-4A									
12M-5A									
12M-6A									
12M-7A									
12M-8A									
12M-1B									
12M-2B									
12M-3B									
12M-4B									
12M-5B									
12M-6B									
12M-7B									
12M-8B									
12M-1C									
12M-2C									
12M-3C									
12M-4C									
12M-5C									
12M-6C									
12M-7C									
12M-8C									

SPANISH ASSESSMENTS ORDER FORM
FORM A
3RD, 8TH & 12TH GRADE

*A complete package consists of: 45 copies of the same assessment, one teacher's direction booklet, one scoring guide. The price for the complete package is $ 14.00.

Assessments	Teachers' Direction		Scoring Guide		Student Booklet		Pkg	Pkg	Total Cost
READING	QTY	COST	QTY	COST	QTY	COST	QTY	COST	
3R-1A-NARRATIVE									
3R-2A-STORY									
3R-3A-REPORT									
3R-4A-COMMUNICATION									
3R-5A-POEM									
WRITING									
3W-1A-NARRATIVE									
3W-2A-STORY									
3W-3A-REPORT									
3W-4A-COMMUNICATION									
3W-5A-POEM									
MATH									
3M-1A									
3M-2A									
3M-3A									
3M-4A									
3M-5A									
3M-6A									
3M-7A									
3M-8A									
READING	QTY	COST	QTY	COST	QTY	COST	QTY	COST	
8R-1A-NARRATIVE									
8R-2A-STORY									
8R-3A-REPORT									
8R-4A-COMMUNICATION									
8R-5A-POEM									
8R-6A-SUMMARY									
8R-7A-ESSAY									
WRITING									
8W-1A-NARRATIVE									
8W-2A-STORY									
8W-3A-REPORT									
8W-4A-COMMUNICATION									
8W-5A-POEM									
8W-6A-SUMMARY									
8W-7A-EXPOSITORY PAPER									
MATH									
8M-1A									
8M-2A									
8M-3A									
8M-4A									
8M-5A									
8M-6A									
8M-7A									
8M-8A									
8M-9A									

7/1/94

SPANISH ASSESSMENTS ORDER FORM
FORM A
3RD, 8TH & 12TH GRADE

ASSESSMENTS	TEACHERS'DIRECTION		SCORING GUIDE		STUDENT BOOKLET		PKG	PKG	
READING	QTY	COST	QTY	COST	QTY	COST	QTY	COST	TOTAL CO
12R-1A-NARRATIVE									
12R-2A-FICTION									
12R-3A-REPORT									
12R-4A-COMMUNICATION									
12R-5A-POEM									
12R-6A-SUMMARY									
12R-7A-ESSAY									
12R-8A-PERSUASION									
12R-9A-REVIEW/EVAL/CRIT									
WRITING									
12W-1A-NARRATIVE									
12W-2A-STORY									
12W-3A-REPORT									
12W-4A-COMMUNICATION									
12W-5A-POEM									
12W-6A-SUMMARY/PRCS									
12W-7A-ESSAY									
12W-8A-PERSUASIVE PAPER									
12W-9A-EVAL/CRITIQUE									
MATH									
12M-1A									
12M-2A									
12M-3A									
12M-4A									
12M-5A									
12M-6A									
12M-7A									
12M-8A									

7-1-94

HOW TO ORDER AND PAY FOR CHARTER SCHOOLS HANDBOOK

Name____

Organization____

Address____

City____________________________ State______ Zip______

Phone __________________ FAX __________________

CHARTER SCHOOLS HANDBOOK:

______ Copy(ies), 3-hole punched, shrink-wrapped @ $13.38 each = __________
plus $4.00 each for shipping & handling

Please direct your order to:

Arizona Department of Education
Central Distribution Services/Charter School Handbook
(CDS: 542-3088)
1535 West Jefferson
Phoenix, AZ 85007

TOTAL REMITTANCE: $______

NOTE: Payment must be received in Central Distribution Services before shipment can be accomplished.